

A C T S
A N D
S T A T U T E S
Made in a
P A R L I A M E N T

Begun at *Dublin* the Twenty seaventh Day of
August, *Anno Dom.* 1695. In the Seaventh Year of the
Reign of Our Most Gracious Sovereign Lord

King WILLIAM.

Before His Excellency, **HENRY** Lord **CAPELL**,
Lord Deputy General, and General Governour of His
Majesty's Kingdom of *IRELAND*.

A N D

Continued by several Adjournments before Their
Excellencies **CHARLES** Lord Marquess of *WINCHE-*
STER, and **HENRY** Earl of *GALLWAY*, Lords
Justices General, and General Governours of His Majesty's
Kingdom of *IRELAND*.



D U B L I N :

Printed by *Andrew Crook*, Printer to the King's Most Excel-
lent Majesty, on *Cork-Hill*, near *Copper-Alley*, 1697.

ACTS AND STATUTES

Made in a
PARLIAMENT

Begin at Dublin the Twenty seventh Day of
August, Anno Domini 1837, in the seventh Year of the
Reign of Our Most Gracious Sovereign Lord

King WILLIAM.

Before His Excellency, Wm. Lord CAPEL,
Lord Deputy, General, and Governor of His
Majesty's Kingdom of IRELAND.

Continued by several Adjournments before Their
Excellencies CHARLES Lord Manners of WINCHESTER,
EARL of GALLOWAY, Lord
Justice General, and General Governors of His Majesty's
Kingdom of IRELAND.



DUBLIN:
Printed by Andrew Groom, Printer to the King's Most Excellent
Majesty, on Cork Hill, near Cooper's Alley, 1837.

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An Act for an Additional Duty of Excise upon Beer, Ale,
and other Liquors.

CHAP. I.

An Act for taking away the Writ *De Heretico Comburendo*.

CHAP. II.

BE it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this Parliament Assembled, and by Authority of the same, That the Writ commonly called Breve de Heretico Comburendo, with all Process and Proceedings thereupon, in order to the executing such Writ, or following, or depending thereupon; and all punishment by Death in pursuance of Ecclesiastical Censures, be from henceforth utterly taken away, and abolished, any Law, Statute, Cannon, Constitution, Custom, or Usage to the contrary heretofore, or now in force in any-wise notwithstanding.

Provided always, That nothing in this Act shall extend, or be construed to take away, or abridge the Jurisdiction of Protestant Arch-Bishops, or Bishops, or any other Judges of any Ecclesiastical Courts, in Cases of Atheism, Blasphemy, Heresy, or Schism, or other Damnable Doctrines and Opinions; but that they may proceed to punish the same according to His Majesty's Ecclesiastical Laws by Excommunication, Deposition, Degradation, and other Ecclesiastical censures, not extending to death, in such sort, and no other, as they might have done before the making of this Act, any thing in this Law contained to the contrary in any-wise notwithstanding.

An Act declaring all Attainders, and all other Acts made in the late pretended Parliament to be void.

CHAP. III.

AS much as since the happy Accession of His Majesty King William, and the late Queen Mary, of blessed Memory, to the Imperial Crown of England, whereunto this Kingdom of Ireland is inseparably Annexed, United and Belonging, no Parliament could, or ought to be holden within this Kingdom, unless by Their Majesties Authority: Whereby, nevertheless, divers Persons, during the late War and Rebellion in this Kingdom, did on, or about the Seventh Day of May

One thousand Six hundred Eighty nine, assemble themselves at, or near the City of Dublin, without Authority derived from Their Majesties, and in opposition thereto: And being so assembled, did pretend to be, and did call themselves by the Name of a Parliament, and sitting in concurrence with the late King James, did make and pass several pretended Acts or Statutes: and did cause the same to be placed and recorded amongst the Records and Proceedings of Parliament. All which pretended Acts, were formed and designed in manifest opposition to the Sovereignty of the Crown of England, and for the utter Destruction of the Protestants, and the whole Protestant Interest in this Kingdom: And are, and were null and void to all Intents and Purposes whatsoever.

And whereas Their said Majesties, out of Their Pious and Princely Care of, and for Their faithful and Loyal Subjects of this Kingdom, and for their better Learning and Relief by an Act of Their Parliament of England, made at Westminster, in the first Year of Their said Majesties Reign, were graciously pleased to Enact and Declare, That the said pretended Parliament, so as aforesaid assembled at Dublin, was not a Parliament, but an unlawful and rebellious Assembly: And that all Acts and Proceedings whatsoever, had, made, done, or passed, or to be had, made, done, or passed, in the said pretended parliament, should be taken, deemed, adjudged and declared to be null and void, to all Intents, constructions and purposes whatsoever. For which, We the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, do return Our most hearty and unfeigned Thanks to His Most Sacred Majesty. And for the better and further Quelling and Assuring the minds of His Majesty's good Subjects, and to the intent that no Memorial hereafter may remain amongst the Records of Parliament of any of the Acts or Proceedings of the said unlawful and rebellious Assembly, We the Lords Spiritual and Temporal, and Commons in Parliament assembled, do most humbly beseech Your Majesty, That it may be Enacted.

And be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this Parliament assembled, and by the Authority of the same, That all and every the Acts, or pretended Acts, and the Rolls hereon the said Acts, or pretended Acts, and every of them are Repealed, or Cancelled: and all Proceedings of what Nature or kind they be had, made, done, or passed by the said persons lately so assembled at Dublin, pretending to be, or calling themselves by the name of a Parliament: and also all Writs issued in order to the calling of the said pretended Parliament, and returned into any Office in this Kingdom, And there remaining: and all the Journals of the said pretended Parliament, and other Books, or Writings in any wise relating therunto or to the holding thereof, shall by the Officers,

Officers; or persons, in whose custody the same are; be brought before the Lord Deputy, or other Chief Governo: or Governours of this Kingdom; for the time being, at such time as the Lord Deputy, or other Chief Governo: or Governours, for the time being, shall appoint at the Council Chamber in Dublin, and there shall be publicly and openly Cancelled, and utterly Destroyed: And in that any Officer, or person in whose hands or custody the said Acts and Rolls, or Proceedings, or any of them do, or shall remain, shall willfully neglect or refuse to produce the same, so the intent that the same may be Cancelled and Destroyed according to the true intent of this Act, every such person and Officer shall be, and is hereby declared and declared to be from thenceforth incapable of any Office or Employment whatsoever; and shall forfeit and pay the sum of five hundred pounds, one half thereof to his Majesty, and the other half to such person or persons that shall sue for the same by any Action of Debt, Will, Plaint or Information in any Court of Record whatsoever.

And whereas the said unlawful assembly, calling themselves a Parliament, did take upon them to pass one or more pretended Acts in that cruel and barbarous manner, they did by the name of High Treason the greater part of the Lords Spiritual and Temporal, and principal Commons of this Kingdom; all which Attainders, as also all other Acts and proceedings, or pretended Acts or proceedings, of the said pretended Parliament, are hereby declared and enacted to have been from the first making thereof, and now to be utterly null and void to all intents, conclusions and purposes whatsoever.

It is further enacted and declared by the Authority aforesaid, that all and every person and persons, who by express name or others wise, by any proceedings of the said pretended Parliament were Attainted of High Treason, or any other crime, or subjected to any incapacity, disability, or forfeiture, are hereby declared and enacted to have been ever since the making of the said pretended Act or Acts, and to be persons lawful, able and capable to all intents and purposes whatsoever; and free and discharged of, and from all Attainders, Convictions of Blood, Disabilities, Incapacities and Forfeitures whatsoever; as fully, freely and intirely, as if the said Acts or pretended Acts, or any of them had not been made or passed, and as if they and every of them had been particularly named in this Act, and by express name and words had been declared to be restored in Blood, made capable, free and discharged as aforesaid.

1691

An Act to Restrain Foreign Education.

CHAP. IV.

WHEREAS many of the Subjects of this Kingdom, have accustomed themselves to send their Children, and other Persons under their Care, into France, Spain, and other Foreign parts, not under His Majesty's Obedience, to be Educated, Instructed and brought up; by means and occasion whereof, the said Children and other Persons, have in process of time, Engaged themselves in Foreign Interests, and been prevailed upon to forget the Natural Duty and Allegiance due from them to the Kings and Queens of this Realm, and the Affection which they owe to the Established Religion and Laws of this their Native Country, and Returning so Civilly Disposed into this Kingdom, have been in all times past, the Movers and Promoters of many Dangerous Seditions, and often times of open Rebellion, For Remedy whereof.

Be it therefore Enacted and Declared by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same, That in case any of His Majesty's Subjects of this Realm of Ireland, at any time after the end of this Session of Parliament, shall pass, or go, or shall convey or send, or cause to be conveyed or sent, any Child, or other Person, into any parts beyond the Seas, out of His Majesty's Obedience, to the Intent and Purpose to Enter

ter into or be Resident or Trained up in any
 Priory, Abby, Nunnery, Popish University, Col-
 ledge or School, or House of Jesuits or Priests; or
 in case any of his Majesties Subjects of this King-
 dom, shall after the time aforesaid pass or go, or be
 conveyed or sent out of this Kingdom, into any
 parts beyond the Seas out of the King's Obedi-
 ence, to the intent and purpose to be Resident or
 Trained up in any private Popish Family, and shall
 be in such parts beyond the Seas by any Jesuite,
 Seminary Priest, Fryer, Monk or other Popish
 Person Instructed, Perswaded or Strengthened
 in the Popish Religion, in any sort to profess
 the same, or shall convey or send, or cause to be
 conveyed or sent, by the hands or means of any
 person whatsoever, any Summ or Summs of
 Money, or other thing for or towards the Main-
 tenance or Support of any Child or other Person
 already gone or sent, or that shall hereafter go or
 be sent, and be Trained and Instructed as afore-
 said, or under the name or colour of any Charity,
 Benevolence or Alms towards the Relief of any
 Priory, Abby, Nunnery, Colledge, School or any
 Religious House whatsoever; every Person so go-
 ing, sending, conveying or causing to be sent or
 conveyed or sent, as well any such Child or other
 Person, as any Summ or Summs of Money or
 other thing, and every Person passing or being
 sent beyond the Seas, contrary to the Intent and
 Meaning of this Act, and being thereof lawfully
 Convicted in manner and form hereafter mention-
 ed, or upon any Information, Presentment or In-
 dictment for any the Offences as aforesaid, to be
 found by any Jury of twelve Men of the County or
 City, or Town Corporate where such person or per-
 sons so going or sending shall have any Estate of
 Inheritance,

Inheritance, When he or they did so send or go, such person and persons so going or sending wilfully, from and after such going or sending, shall be forever Disabled, from and after such finding, to Sue, Bring or Prosecute any Action, Bill, Plaint, or Information in course of Law, or to Prosecute any Sute in any Court of Equity, or to be Guardian, or Executor, or Administrator to any person, or Capable of any Legacy or Deed of Gift, or to bear any Office within the Realm, and shall Lose and Forfeit all his, her, and their Goods and Chattles, which he, she, or they hath, or any other person or persons have, or hath in trust for him, her, and them, and shall forfeit all his, her, and their Lands, Tenements and Hereditaments, Rents, Annuities, Offices and Estate of Freehold, and all Trusts, Powers and Interests therein, for and during his, her, and their natural Life and Lives,

And be it further Enacted by the Authority aforesaid, that if any Information be given to any Justice of the Peace that any such Child or other Person, Summ of Money, or other thing is or are gone or sent away, contrary to the Tenor of this Act; that then every such Justice of the Peace within the Limits of his Jurisdiction is hereby Authorized and Required forthwith to Cause to be brought before him, all such persons Suspected, or Charged to have Offended therein; And shall Examine the person or persons so Suspected or Accused without Oath: And also shall Examine any other Person or Witnesses, upon such his and their severall and respective Corporal Oaths, concerning the same: And if upon such Examination it shall appear probable to such Justices of the Peace, that such Child or other Person, Summ of Money, or other thing is, or are gone or sent away

may, contrary to the true Intent and Meaning of this Act, then the said Justices of the Peace shall Bind the said suspected person or persons, with sufficient Sureties, and such other persons as he shall judge fit to give Evidence : And the said Informer or Informers in Recognizances of the Summ of Two hundred pounds, or such greater Summ or Summs, as to the said Justice or Justices of the Peace shall seem reasonable, with Condition to appear at the next Quarter-Sessions of the Peace to be held for the said County, where such Offence or Offences is, or are supposed to be Committed, or where the Offenders did last Reside, or were taken, and not to depart the said Court without License : And the said Justice of the Peace, shall at the first Sitting of the said Court of Quarter-Sessions, Return the said Examinations and Recognizances, unto the Clerk of the Peace in open Court, who shall cause an Information to be Framed against such person and persons, or Suspected person or persons, who shall instantly Answer thereunto, and proceed to Tryal thereon, and in Case upon such Tryal it shall by proof appear to the said Court of Quarter-Sessions, that any Person, Summ of Money, or other Thing was by him, her or them, Sent or Conveyed, or caused to be Sent or Conveyed into any parts beyond the Seas, out of his Majesty's Obedience ; And in Case by such proof, it shall appear probable to the said Court, that such Sending or Conveying, was contrary to the true Intent and Meaning of this Act then he, she or they, shall take upon him, her or themselves, the proof where such Child, or other Person so by them sent, then is, and also to what intent and purpose such summ or summs of Money, or other thing was

or were sent by him or them beyond the Seas; And in case any such Child or Children, or other Person or Persons that shall go, as aforesaid, Contrary to the Intent and Meaning of this Act, or be sent or Conveyed away, as aforesaid, or any Summ or Summs of Money by way of Exchange or any other ways or means whatsoever shall be sent after the time herein Limited beyond the Seas into foreign parts, as aforesaid, to any the Intents and Purposes aforesaid, Contrary to the Design or Intent of this Act, that such going or sending shall be Adjudged, Deemed, and taken to be going or sending, Contrary to this Act, unless the Party or Parties denying the same shall prove the Contrary, or if by Failure of such proof or otherwise upon Examination it shall appear to the said Court of Quarter-Sessions of the Peace that such Offence or Offences hath or have been Committed Contrary to this Act, the same being Entered on Record, shall be a Conviction as well of the Person or Persons so being sent as of the Parties so sending, and they and every of them shall Forfeit and Incure all the Pains and Penalties and Disabilities before Recited and Mentioned: The one Moiety of all such Forfeitures to be to his Majesty, his Heirs and Successors, and the other Moiety to him or Them that shall Sue for the same in any Court of Record by any Action, Bill, Plaint or Information wherein no Esloyn, Protection or Wager of Law, or more then one Imparllance shall be allowed.

Provided always that if any person or persons against whom such Indgment shall be given or pronounced at such General Quarter-Sessions of the Peace, as aforesaid, shall find him or herself aggrieved thereby, it shall and may be Lawful to
and

and for such person or persons respectively to ap-
 pear to the Justices of Assize of the said County at
 the next Assizes to be held for the same: And the
 said Justices of Assize are hereby authorized in the
 same Assizes to Cause the said Proceedings in the
 said General Quarter Sessions of the Peace to be
 brought before them, and there to return and
 examine the same by such ways and means as
 to them shall seem Expedient, and to Reverse,
 Alter and Confirm the same and Every part thereof
 as to Justice shall appertain: And all and every
 Officer and Officers in whose Custody or Power
 such Proceedings and Conviction shall be at the
 time of such Inquiry by the said Judge or Judges
 of Assize shall obey the Orders and Directions of
 the said Judge or Judges of Assize therein made:
 Provided always, That if any person be Con-
 victed of being sent beyond the Seas, contrary to
 this Act, by the Conviction of the person sending
 or conveying him, only such person upon his return
 into this Kingdom, shall at any time within
 Twelve Months after such his, or her return, or
 within Twelve Months after his or her attaining
 the Age of One and Twenty Years, upon his
 Prayer by Petition to the Court of Kings Bench
 of this Kingdom, be admitted to his Trial, and
 the Judges of the said Court are hereby Impow-
 ered and Required forthwith upon such Prayer to
 cause an Information to be Exhibited against such
 person or persons to which he or they shall be
 and thereupon the said Court shall proceed to Try
 all of such person or persons by Jury of the Coun-
 ty where the said Court shall then sit, and the
 Defendant or Defendants in such case shall upon
 his or their Tryal be obliged to prove to what
 intent or purpose he, she or they was, or were sent

conveyed beyond the Seas, and unless he, she or they, shall make such proof, whereby it may appear, that he, she or they, were not sent or conveyed contrary to this Act, it shall be taken for granted, that he was sent contrary to this Act, as though the same had been fully proved: And in case upon his, her or their Tryal, such person or persons shall be Acquitted, he, she and they so Acquitted, shall be Discharged of all the Disabilities, Penalties any Forfeitures in this Act, except his, her or their Goods and Chatties, and the profits of his, her or their Lands, incurred and received before such Acquittal.

Provided also, that every such person sent or Conveyed, as aforesaid, that shall within Six Months after his Return into this Kingdom, in the High Court of Chancery, or Court of Kings Bench in Term time, between the hours of Eight and Twelve in the Morning take the Oaths and Repeat and Subscribe the Declaration, mentioned and appointed in and by One Act lately made in the Parliament of England, Intituled, An Act for Abrogating the Oath of Supremacy in Ireland, and appointing other Oaths; shall from thenceforth be Discharged of all the Incapacities and Disabilities aforesaid; And shall from the time of his taking such Oaths, and Making, Repeating and Subscribing such Declaration, be restored to the Receipt of the future growing Rents, Issues and Profits of his said Real Estate only; but shall nevertheless lose all the past Rents, Issues and Profits thereof, and all his Personal Estate, any thing before in this Act to the contrary notwithstanding.

Provided always, that if such person or persons at any time after his or their taking the said Oaths, and Making, Repeating and Subscribing the

the said Declaration, profess him, her, or themselves of the Popish Religion, or refuse the taking the said Oaths, and Repeating and Subscribing the said Declaration, when the same shall be to him, her or them, tendered by the Justices of the Peace in their open Quarter-Sessions of the Peace for the County, or place where such person or persons shall Reside: Which the said Justices are hereby Authorized and Required, to tender to all whom they shall suspect to have Relapsed, or shall upon due Summons refuse to appear at such Quarter-Sessions, for the purpose aforesaid, in every such Case the said person or persons shall Incurr, Forfeit and Suffer all and every the Disabilities, Pains, Penalties and Losses, herein before contained, as if such person or persons had never taken the said Oaths, or Repeated and Subscribed the said Declaration.

And be it further Enacted by the Authority aforesaid: That all and every the Offences against this Act, may be Inquired into, Heard and Determined before the Justices of the King's Bench, or Justices of Assizes, or Goal-Delivery, or of Oyer and Terminer of such Counties where the Offenders did last Dwell or Abide, or whence he, or they departed, or were sent out of the Kingdom, or where he, she or they went, or shall be respectively Taken or Apprehended.

Provided always, That if any person shall upon his Tryal before the Justices of the Peace, at the General Quarter-Sessions, be acquitted by the said Court, of any offence against this Act, or upon his appeal to the Judges of Assize, in such manner as by this Act is directed, shall by the said Judges of Assize be acquitted; or in Case he shall upon his Tryal be acquitted by the Jury, upon any Indictment

ment, Detachment or Information prosecuted against him for any Offence contrary to this Act, such person so acquitted shall not be liable after such acquittal to be prosecuted upon this Act in any other manner for the same Offence.

And whereas it is found by experience that Collecting and Combining at Papists keeping Schools or Instructing Youth in Litterature, is one great reason of many of the Natives of this Kingdom, continuing ignorant of the Principles of True Religion, and Strangers to the Scriptures, and of their neglecting to conform themselves to the Laws and Statutes of this Realm, and of their not using the English Habit and Language, to the great prejudice of the Publick Good thereof.

Be it further Enacted by the Authority aforesaid, That no person whatsoever of the Popish Religion, shall publicly Teach School, or Instruct Youth in Learning, or in private Houses, Teach or Instruct Youth in Learning within this Realm from henceforth, except only the Children or others under the Chapermanship of the Master or Masters of such private House or Family, upon pain of Twenty pounds, and also of being Committed to Prison, without Bail or Mainprize, for the space of three Months for every such Offence: And to the intent that no pretence may be made or used, that there are not sufficient numbers of Schools in this Realm to instruct and Inform the Youth thereof in the English Language, and other Litterature.

Be it further Enacted by the Authority aforesaid, That one Act of Parliament made in the Twentieth year of the Reign of the Late King Henry the Eighth, Called An Act for the English Order, Habit and Language, whereby it is among other things Enacted and Provided, That every Incumbent of
each

each Parish within this Kingdom, shall keep or cause to be kept within the Place, Territory or Parish where he shall have Preheminence, Rule, Benefice or Promotion a School to Learn English : And also one other Act made in the Twelfth Year of the Reign of the Late Queen Elizabeth, Intituled, An Act for the Erection of Free-Schools, whereby it is Enacted and Provided, That a publick Latin Free-School shall be constantly maintained and kept within each Diocess of this Kingdom, which have generally been maintained and kept, but have not had the desired Effect by reason of such Irish Popish Schools, being too much Connived at, and all other Acts and Statutes now in Force in this Realm concerning Schools, shall from henceforth be strictly Observed and put in Execution according to the good Intent and Design of the same, and for the more Effectual doing thereof the Justices of His Majesty's Court of Kings-Bench each Term, and the Judges of Assize in their Respective Circuits, and the Justices of Peace in their General Sessions of Peace, are Required to give this and the said former Acts in Charge from time to time, to the severall Grand-Juries to be then Impannelled and Charged, and to be very Circumspect in seeing the same put in due Execution.

F I N I S,

E. I. H. I.

AN
ACT
For the Better Securing the Govern-
ment by Disarming
PAPISTS.



DUBLIN,
Printed by Andrew Crook, Printer to the Kings
Most Excellent Majesty, on Ormonde-Key, 1695.

ACT

For the Better Securing the Govern-
ment by Debarment

PAPERS



Printed by J. B. L. ...
... to the ...
... on the ...

An Act for the better Securing the Government
by Disarming Papists. CHAP. V.

FOR Preserving the Publick Peace, and
Quieting the Kingdom from all Dangers
of Insurrection and Rebellion for the Fu-
ture.

Be it Enacted by the King's Most Excellent
Majesty, by and with the Advice and Consent of
the Lords Spiritual and Temporal, and Com-
mons in this present Parliament Assembled; And
by Authority of the same, That all Papists with-
in this Kingdom of Ireland, shall before the first
Day of March next Ensuing, Discover and Deliver
up to some Justice or Justices of the Peace, or to
the Mayor, Bayliff, or Head Officer of the Coun-
ty, City, Town Corporate, or place, Respectively,
where such Papist shall dwell and Reside, all
their Arms, Armour and Ammunition of what
kind soever the same be, which are in his or their
hands or Possession, or in the hands of any other
Person or Persons in Trust for them, or at their
Disposition, Notwithstanding any License or Per-
mission for Keeping the same heretofore granted.
And that from and after the said first Day of
March, One Thousand, Six Hundred, Ninety
Five, it shall and may be Lawfull for any two
or more Justices of the Peace within the Limits
of their Jurisdiction and Authority; And to all
Mayors, Sheriffs, and Chief Officers of Cities
and Towns Corporate in their Liberties by them-
selves, or by Warrant or Warrants under their
hands and Seals, Respectively, from time to time,

to Search for, Seize, or Cause to be Searched for and Seized, and take into his or their Custody all such Arms, Armour and Ammunition as shall be Concealed in any House, Lodging, or other Places where they shall suspect any such Arms, Armour or Ammunition shall be Concealed; And such Arms, Armour and Ammunition so Taken or Seized, upon Search and otherwise, as aforesaid, shall by the person or persons so Receiving, Taking and Seizing the same, be preserved for the Use of His Majesty, His Heirs and Successors: And the said persons shall return a true and particular Account thereof to the Lord Deputy, or other Chief Governour or Governours of this Kingdom, for the time being, to the end the same may be brought into His Majesties Stores of War, or be Disposed of as he or they shall think fit.

Provided Nevertheless, That no such Search or Searches shall be made in any such House, Houses, or Lodgings, save only between the Rising and Setting of the Sun, other then in Cities and their Suburbs, Towns Corporate, Market Towns, and Houses of such Cities and Towns, if it shall be so thought Necessary, and the Warrant or Warrants for that purpose do Direct and Appoint: And in Case such Justices of the Peace, Mayor, Sovereign, Bayliff, or other Chief Magistrate or Officer of any City or Town Corporate, after such Search made, shall find Cause to suspect that any Arms, Armour or Ammunition remain Concealed, and not Seized, as aforesaid, they are hereby Respectively Impowered and Required to Cause such person or persons whom he or they shall suspect to have Concealed the same to be brought before him or them, and to

to be Examined upon his, her, or their Corporal Oath concerning the same.

And be it further Enacted, by the Authority aforesaid, That every such Papist who shall have or keep any such Arms, Armour or Ammunition, who shall not discover and deliver up the same by the time aforesaid; And every other Person or Persons who Wittingly or Willingly shall have any such Arms, Armour or Ammunition to the use of, or in Trust for any such Papist, Contrary to the True Meaning and Intent hereof. And also Every such Person or Persons, who upon Demand or Search made for such Arms, Armour or Ammunition, as aforesaid, shall Refuse to Declare and Manifest to the Justice or Justices of the Peace, Mayors, Bayliffs, head Officers, or other Persons Authorized and Impowered for Seizing and Searching for all such Arms, Armour and Ammunition in manner as aforesaid, what Arms, Armour and Ammunition they or any other to his knowledge, or with his privy have, or shall Lett, hinder or Disturb the Delivery thereof to any the said Justices of the Peace, or any other Person or Persons Authorized by Warrant, as aforesaid, to Search for, Take and Seize the same, and Every other Person and Persons who shall Refuse to make Discovery upon his, her, or their Oath, to be Administred by such Justices of the Peace, Mayor, Bayliff, or other Chief Officer of any City, or Town Corporate concerning the Premises, as aforesaid, or being Summoned by Warrant under the hands of two or more Justices of the Peace, whereof Notice in Writing to be given to him, or her, or left at his or her Usual place of abode, shall without Reasonable
B Cause

Cause Refuse or Neglect to appear before such Justices of the Peace, Mayors, Sovereigns, Bayliffs, or other Chief Magistrates, as aforesaid, to be Examined as aforesaid, Every such Person or Persons so Offending, Contrary to this Statute in this behalf, shall Forfeit in manner following (That is to say) if such Person or Persons be a Peer or Peeres of this Realm, he, she and they shall for the first Offence Forfeit the Summ of One Hundred Pounds Sterling : And if such person or persons shall offend a second time, Contrary to the True Intent and Meaning thereof, then such person or persons shall for the second Offence Incure the Penalty of a Person Attainted in a Premunire ; And being thereof Convicted shall suffer Punishment accordingly. And if such person or persons Offending herein, Contrary to the true Intent of this Act, shall be under the Degree of a Peer or Peeres, then he, she, or they so Offending shall for the first Offence, being thereof Lawfully Convicted upon any Indictment or Information to be Exhibited at the Assizes or General-Quarter-Sessions of the Peace, to be held for the County where such Offence shall be Committed, Lose and Forfeit the Summ of Thirty Pounds ; And shall suffer Imprisonment by Order of the Justices of Assize, at the Assizes, or Justices of the Peace in their General-Quarter-Sessions of the Peace, without Bail or Mainprize for one Year ; and from thenceforward untill he, she, or they shall pay the Penalty aforesaid. And if such person or persons shall Offend a second time, Contrary to the true Intent and Meaning hereof, then such person or persons so Offending shall for such

such second Offence, being Convicted of the first Offence, Incurr and Suffer all the Pain and Penalties of persons Attainted in a Premunire, the said Penalties and Summs of Money so to be forfeit, as aforesaid, by such Peer or Peeres, to be Recovered by Action of Debt, Bill, Plaint or Information in any of his Majesties Courts of Record; In which said Action of Debt, Bill, Plaint or Information, no Essoyne, Protection nor Wager of Law shall be allowed, nor more then one Imparllance granted; One Moyety thereof to be and go to the Use of his Majesty, his Heirs and Successors; and the other Moyety to such person or persons who shall Sue for the same.

Provided always that this Act, or any thing therein Contained, shall not Extend or be Construed to Extend to hinder or Restrain any Nobleman or Gentleman from Keeping or Using a Sword, and a Case of Pistols, and a Gun for the Defence of his House, or for Fowling, so as such Nobleman or Gentleman before the said first Day of March, in the Year of Our Lord, One Thousand, Six hundred, Ninety five, shall make proof to the satisfaction of the Lord Deputy, or other Chief Governor or Governors, and the Privy-Council of this Kingdom of Ireland, that he upon the third Day of October, in the Year of Our Lord, One Thousand, Six hundred, Ninety One, was an Inhabitant or Resident of Limerick, or some other Garrison then in the possession of the Irish, or was then some Officer or Soldier then in Arms under a Commission of the late King James, or those Authorized under him to grant the same in the Counties of Limerick, Clare, Kerry, Cork or Mayo, or under

der their Protection in the said Counties ; or was then a Commissioned Officer in his Majesties Quarters belonging to the Irish Regiments then in being which were Treated with, not being then a Prisoner of War, nor having before that time taken Protection.; and that he has since Returned and Submitted to his Majesties Obedience, and shall also prove, as aforesaid, that he was upon the said Third Day of October within this Kingdom, and so as such Nobleman or Gentleman hath not any time since the said Third Day of October, upon tender to him, Refused to take the Oath of Allegiance Required to be Taken by an Act of Parliament in England, made in the first Year of the Reign of his present Majesty, and of the Late Queen MARY of Blessed Memory ; and shall take the said Oath when he shall be thereunto Required, or shall prove, as aforesaid, that he was upon the One and Twentieth Day of July, which was in the Year of Our Lord, One Thousand, Six Hundred, Ninety One, a Gentleman of Estate then belonging to the Town and Garrison of Galway ; But that such Nobleman or Gentleman, Respectively, so making proof, and being qualified, as aforesaid, may Keep and Make use of a Sword, a Case of Pistols and a Gun for defence of his house, or for Fowling, in such manner as he might have done in Case this Act had never been Made, any thing herein Contained to the Contrary in any wise Notwithstanding.

Provided always, That an Entry shall be made of such proof, and that no Gratuity, Fee or Reward

ward whatsoever shall be taken by any person other then the Summ of One Shilling for the making such proof, or for the Entry thereof. Provided always that no person shall be Convicted or Incurr any penalty upon this Act for any Offence Committed Contrary thereto upon any Confession or Discovery he or she shall make, being Examined upon Oath, unless such Offence shall be made out by other proof, any thing herein Contained to the Contrary Notwithstanding.

Provided always that the Lord Deputy, or other Chief Governor or Governors, and Privy Council of this Realm, for the time being, may by Order of Privy Council, at any time after the said First Day of March, One Thousand, Six hundred, Ninety Five, License any person or persons as he and they shall think fit to keep such Arms as shall be particularly Expressed in such License, in as full and ample manner as such Chief Governor or Governors heretofore might have done before the passing of this present Act, Any thing herein Contained to the Contrary Notwithstanding. Which License shall be granted Without any Gratuity, Fee or Reward, other then the Summ of One Shilling for the Writing thereof.

And be it further Enacted by the Authority aforesaid, That from and after the End of this present Sessions of Parliament, no person whatsoever now, or at any time whatsoever, Exercising or using the Mystery or Art of making any Locks or Barrels for Guns, Musquets, Pistols, or other Fire-Arms; or of making Swords, Bagonets,

gonets, Sheines, Knives, or other Weapons, shall take to Prentice, or Use, Receive or Instruct as an Apprentice any Person of the Popish Religion, on pain that Every Person so Offending in Entertaining such Popish Person to be an Apprentice, or Using, Receiving, or Instructing him as such, shall for Every such Offence Forfeit the Summ of Twenty Pounds to be Recovered by Bill, Plaint, or Information, in any of His Majesties Courts of Record, wherein no Elloyne, Protection, or Wager of Law is to Allowed, nor more then one Imparllance granted; The one Moyety of all such Forfeitures to be to His Majesty, His Heirs and Successors, and the other Moyety to the Informer, or him or them that shall or will Sue for the same.

And moreover the Indenture of Apprenticeship, and all Bonds and Contracts to be made or Entred into, by Reason or Occasion of any such Popish Person being put to be an Apprentice, as aforesaid, shall be void, and are hereby declared to be void, and Every such person of the Popish Religion, who shall be hereafter put to be an Apprentice, Instructed Contrary to the true meaning of this Act, and who shall Exercise the said Art or Mystery, shall for Every such Offence in Using or Exercising the said Art or Mystery, or any part thereof Forfeit the Summ of Twenty Pounds to be Sued for and Recovered as aforesaid, to the Uses before-mentioned; And the Justices of the Peace, Mayors, Sovereigns, and other Head Officers of Cities, Burroughs and Towns Corporate, Respectively, are hereby Authorized and Required to send for all Apprentices of such Persons Exercising

erring the Art and Mytery aforesaid, whom they shall suspect, and shall tender to them the Oaths and Declaration following, to be by them Respectively taken and Subscribed.

I A. B. do Sincerely Promise and Swear, That I will be Faithful, and bear True Allegiance to His Majesty King WILLIAM.

So help me God.

I A. B. Do Swear that I do from my Heart Abhor, Detest and Abjure, as Impious and Heretical, That Damnable Doctrine and Position that Princes Excommunicated or Deprived by the Pope, or any Authority of the See of ROME, may be Deposed or Murdered by their Subject, or any other whatsoever. And I do Declare that no Foreign Prince, Person, Prelate, State or Potentate, hath, or ought to have, any Jurisdiction, Power, Superiority, Preheminency, or Authority, Ecclesiastical or Spiritual within this Realm.

So help me God.

I A. B. Do Solemnly and Sincerely in the Presence of God, Profess, Testify and Declare, That I do believe that in the Sacrament of the Lords-Supper, there is not any Transubstantiation of the Elements of Bread
and

and Wine into the Body and Blood of Christ, at or after the Consecration thereof, by any Person whatsoever; And that the Invocation and Adoration of the Virgin MARY, or any other Saint, and the Sacrifice of the Mass, as they are now Used in the Church of ROME, are Superstitious and Idolatrous. And I do Solemnly in the presence of God, Profess, Testify and Declare, That I do make this Declaration, and every part thereof, in the plain and Ordinary Sense of the words Read unto me, as they are Commonly understood by Protestants, without any Evasion, Equivocation, or Mental Reservation whatsoever, and without any Dispensation already granted me for this purpose, by the Pope, or any other Authority or Person whatsoever, or without any hope of any such Dispensation from any Person or Authority whatsoever, or without believing that I am or can be acquitted before God or Man, or Absolved from this Declaration, or any part thereof, although the Pope, or any other Person or Persons, or Power whatsoever should Dispencc with, or Annul the same, or Declare that it was Null and Void from the Beginning.

And the Refusal of such Person or Persons to take the said Oaths or Subscribe the said
Decla=

Declaration shall be, and are hereby declared to be a Conviction of such Persons so Refusing the same, of his being Guilty, as also of the Master of such Apprentice, unless such Master shall prove that such Apprentice at the time of Entering his Service was known or Reputed to be of the Protestant Religion.

And be it further Enacted, That no Papist shall at any time from and after the Twentieth Day of January, One Thousand, Six Hundred, Ninety Five, be Capable to have or keep in his Possession, or in the Possession of any other Person, to his Use, or at his Disposition, any Horse, Gelding or Mare, which shall be of the Value of Five Pounds, or more; And that if any Person, being of the Protestant Religion shall make Discovery upon Oath of any such Horse or Horses to be in the possession of such Papist, or of any person in Trust for him, to any two Justices of the Peace, or to the Mayor, or other Chief Magistrate of any City or Town Corporate, That such Justice of the Peace, Mayor, or other Chief Magistrate within their Respective Precincts, shall from time to time by Warrant under his and their Hands and Seals Authorize, such person with the Assistance of the Constable or his Deputy, or such other person as he or they shall think fit, who are hereby Required to be Aiding and Assisting therein, in the Day time only, to search for, and secure all and every such Horse and Horses: And in Case of Opposition or Resistance, to break open any Door, and bring such Horse, or Horses before him or them; And such person being of the Protestant Religion, and making such Discovery, paying or making Tender before such Justice, Mayor,

Mayor, or other Chief Magistrate of any City or Town Corporate, of the Summ of five Pounds five Shillings to the Owner or Possessor of such Horse, or to such Justice or Chief Magistrate in his or their Absence ; Which the said Justice or Chief Magistrate are hereby Authorized to Receive for the use of such Owner or Possessor ; And that from and after such payment, or Tender and Refusal ; The property of such Horse or Horses for which such Summ or Summs shall be Respectively Tendered or paid, shall by Authority of this present Act be Deemed and Adjudged to be Vested in the Person making such Discovery and Tender, as if such Horse and Horses had been bought and sold in Market Overt ; And the said Justices of the Peace, Mayor, Bayliff, or other Head Officer is, and are hereby Authorized and Required by Warrant under his and their Hands and Seals, to Cause such Horse and Horses to be Delivered accordingly.

And be it further Enacted, That if any Person shall Conceal, or be Aiding or Assisting in the Concealing any such Horse or Horses belonging to any Papist or suspected Papist Refusing to take the Oaths and Subscribe the Declaration aforesaid, such Person or Persons being thereof duly Convicted by the Oaths of two or more Credible Witnesses before any Justice of the Peace of the County where such Horse or Horses shall be Concealed shall be Committed to the Common Goal, by Warrant from the said Justice, there to remain without Bail or Mainprize by the space of three Months, and shall forfeit and lose to his Majesty and his Successors treble the value of such Horse or Horses ; Which va-
lue

due is to be Settled by the Justices of the Peace in their General-Quarter-Sessions of the Peace in the Respective Counties, who are hereby Authorized to Continue such person in Prison until due payment of such Summ of Money to the Use of his Majesty, his Heirs and Successors.

And it is hereby Declared, That Every Person shall be Deemed and taken to be a Papist within the meaning of this present Act, who shall Refuse to take the Oaths, and Subscribe the Declaration herein before-mentioned, when the same shall be Tended to him by any Justice or Justices of the Peace; which said Oaths and Declaration the said Justices of the Peace and Chief Magistrates are hereby Authorized and Required to Administer if any such person or persons shall deny him or themselves to be a Papist within the meaning of this Act; And if any such person or persons shall take the said Oaths and Subscribe the said Declaration, the said Justice and Justices of the Peace shall Certify under his hand his or their taking the said Oaths, and Return the said Declaration to the next Quarter-Sessions to be held for the said County, there to be Recorded, as in such Cases is Usual.

And be it further Enacted by the Authority aforesaid, That if any Justice or Justices of the Peace, Mayors, Sovereigns, Bayliffs or Chief Magistrates or Officers of any County or Town Corporate, Respectively, shall Neglect or Refuse to Execute any the Powers or Authorities which he or they is or are Respectively Required by this present Act to put in Execution, Every such Justice of the Peace, Mayor, Sovereign, Bayliff, or Chief Magistrate or Officer, shall

shall for Every such Default or Offence Ldse and Forfeit the Summ of Fifty pounds, to be Recovered in any of his Majesties Courts of Record, by Bill, Plaint, or Information, wherein no Essoyne, Protection, or Wager of Law shall be Allowed, nor more then one Imparllance granted; The one Moyety of such Forfeiture to be to his Majesty, his Heirs and Successors; and the other Moyety to such person as shall or will Sue for the same; And the said Offenders shall be moreover, and are hereby Disabled and made Incapable, from and after his being Convicted, to Act as Justice of the Peace, Mayor, Sovereign, Bayliff, or Chief Magistrate, or Officer in any County, City, or Town Corporate in this Kingdom.

FINIS.

An Act for the better Settling of Intestates Estates.

CHAP. VII.

BE it Enacted by the King's Most Excellent Majesty, With the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority of the same, That all Ordinaries, as well the Judge or Judges of the Prerogative Court of the Arch-Bishop of Ardmagh for the time being, as all other Ordinaries, and Ecclesiastical Judges, and every of them having power to Commit Administration of the Goods, Chattles and Credits of Persons Dying Intestate, shall and may upon their Respective Granting and Committing of Administrations of the Goods, Chattles and Credits of Persons Dying Intestate, after the Feast of the Purification of the Blessed Virgin MARY, in this present Year of Our Lord, One Thousand Six Hundred Ninety Five, take and Require of the Respective Person or Persons, to Whom any Administration is to be Committed, sufficient Bonds With two or more able Sureties, respect being had to the value of the Estate in the Name of the Ordinary, with the Condition in Manner and Form following, Mutatis Mutandis, vizt.

THe Condition of this Obligation, is such, That if the within bounden **A B** Administrator of all and Singular the Goods, Chattles, and Credits of **E D** Deceased, do make or cause to be
A made

made a true and perfect Inventory of all and Singular the Goods, and Chattles, and Credits of the said **C. D.** Deceased, which have, or shall come to the Hands, Possession or Knowledge of him the said **A. B.** or into the Hands or Possession of any other Person or Persons for him, and the same so made do Exhibit, or cause to be Exhibited in the Registry of _____ at, or before the _____ day of _____ next Ensuing, and the same Goods, Chattles and Credits, and all other the Goods, Chattles and Credits of the said Deceased, at the time of his Death, which at any time hereafter shall come to the Hands or Possession of the said **A. B.** or into the Hands or Possession of any other person or persons for him, do well and truly Administer, according to Law; And further do make, or Cause to be made a true and just Account of his said Administration, at, or before the _____ day of _____ and all the rest and residue of the said Goods, Chattles and Credits which shall be found remaining, upon the said Administrators Account, the same being first Examined and Allowed of, by the Judge or Judges for the time being of the said Court; shall deliver and pay unto such person or persons respectively, as the said Judge or Judges, by his or their Decree or Sentence, pursuant to the true intent and meaning of this Act shall Limit and Appoint; And if it shall hereafter appear, that any Last Will or Testament was made by the said Deceased, and the Executor or Executors therein named do Exhibit the same into the said Court, making Request to have it Allowed and Approved accordingly, if the said **A. B.** within bounden being thereunto Required, do Render and Deliver the said

said Letters of Administration, Approbation of such Testament being first had and made in the said Court, Then this Obligation to be Void and of none Effect, or else to remain in full Force and Vertue.

Which Bonds are hereby Declared and Enacted to be good in Law, to all intents and purposes, and Pleadable in any Courts of Justice; And also, that the said Ordinaries and Judges respectively, shall and may, and are Enabled to proceed against, and call such Administrators to Account, for, and touching the Goods of any Person Dying Intestate, and upon hearing and due Consideration thereof, to Order and make Just and Equal Distribution of what Remaineth clear, after all Debts, Funeral Charges, and Just Expences of every sort first Allowed and Deducted amongst the Wife and Children, or Childrens Children, if any such be, otherwise to the next of Kindred to the Dead Person, in Equal Degree or Legally Representing their Stocks pro suo cuiq; Jure, according to the Law in such Cases, and the Rules and Limitations hereafter set down, and the same Distribution to Decree and Settle, and to Compel such Administrators to observe and pay the same by due Course of his Majesty's Ecclesiastical Laws: Saving to every One, supposing him or themselves aggrieved their Right of Appeal, as was always in such Cases used.

Provided always, and be it Enacted by the Authority aforesaid, That all Ordinaries, and every other Person, who by this Act is Enabled to make Distribution of the Surplusage of the Estate of any Person Dying Intestate, shall
Distri-

Distribute the whole Surplusage of such Estate or Estates in Manner and Form following (That is to say) One Third part of the said Surplusage to the Wife of the Intestate, and all the Residue by Equal Portions to, and amongst the Children of such Persons Dying Intestate, and such Persons as Legally Represent such Children, in Case any of the said Children be then Dead, other then such Child or Children (not being Heir at Law) who shall have any Estate by the Settlement of the Intestate, or shall be Advanced by the Intestate in his life time by Portion or Portions equal to the Share which shall by such Distribution be Allotted to the other Children to whom such Distribution is to be made; And in Case any Child (other then the Heir at Law) who shall have any Estate by Settlement from the said Intestate, or shall be Advanced by the said Intestate in his Life time by Portion not equal to the Share which shall be due to the other Children by such Distribution, as aforesaid, Then so much of the Surplusage of the Estate of such Intestate, to be Distributed to such Child or Children as shall have any Land by Settlement from the Intestate, or were Advanced in the Life time of the Intestate, as shall make the Estate of all the said Children to be equal as near as can be Estimated (but the Heir at Law) Notwithstanding any Land which he shall have by Descent or otherwise from the Intestate, is to have an Equal part in the Distribution with the Rest of the Children, without any Consideration of the Value of Lands which he hath by Descent, or otherwise, from the Intestate. And in case there be no Children, nor any

any Legal Representatives of them, then One Portion of the said Estate to be Allotted to the Wife of the said Intestate; the Residue of the said Estate to be Distributed Equally to every of the next of Kindred of the Intestate, who were in Equal Degree, and those who Legally Represent them.

Provided that there be no Representations admitted amongst Collaterals after Brothers and Sisters Children: And in case there be no Wife, Then all the Estate to be Distributed Equally to and amongst the Children: And in case there be no Child, then to the next of Kindred in Equal Degree of or unto the Intestate, and their Legal Representatives, as aforesaid, and in no other manner whatsoever.

Provided also, and be it likewise Enacted by the Authority aforesaid, to the End that a due Regard be had to Creditors, that no such Distribution of the Goods of any Person Dying Intestate be made till after One Year be fully Expired after the Intestates Death: And that such and every Person to whom any Distribution or Share shall be Allotted shall give Bonds with sufficient Sureties in the said Courts: Which said Bonds shall be likewise Good in Law, and Pleadable in any Courts of Justice, That if any Debt or Debts truly Owning by the Intestate, shall be afterwards Sued for and Recovered, or otherwise duly made to Appear, that then and in every such Case he or she shall Respectively Refund and pay back to the Administrator his or her Ratable part of such Debt or Debts, and of the Costs of Sute and and Charges of the Administrator, by reason of such Debt out of the part and Share so as aforesaid Allotted to him

or her, thereby to Enable the said Administrator to pay and satisfy the said Debt or Debts so discovered, after the Distribution made, as aforesaid.

Provided always, and be it further Enacted, by the Authority aforesaid, That in all Cases where the Ordinary hath used heretofore to Grant Administration Cum Testamento annexo, he shall continue so to do, and the Will of the Deceased in such Testament Expressed shall be performed and observed in such manner as it should have been if this Act had never been made.

Provided always, That neither this Act nor any thing therein contained, shall be construed to extend to the Estates of Fems Covert that shall dye Intestate, but that their Husbands may demand and have Administration of their Rights, Credits and other Personal Estates, and Recover and Enjoy the same, as they might have done before the making of this Act.

Provided also, and it is hereby further Enacted, That no Administrator shall from henceforth be Cited into any of the Courts in this Act mentioned, to render an Account of the personal Estates of his Intestate, otherwise then by an Inventory or Inventories thereof, unless it be at the Instance or Prosecution of some person or persons in behalf of a Minor, or having a Demand out of such Estate as a Creditor, or next of Kin, and shall not be compellable to Account before any the Ordinaries or Judges by this Act impowered and appointed to take the same otherwise then as is aforesaid.

And be it further Enacted by the Authority aforesaid,

aforsaid, That if after the Death of a Father, any of his Children Hall dye Intestate without Wife or Children in the life time of the Mother, every Brother and Sister, and the Representatives of them, Hall have an equal Share with her, any Law, Usage or Custom to the contrary notwithstanding.

And whereas it hath been heretofore used, That in case any Executor or Administrator, to any person Deceased, did obtain any Judgment or Judgments in Law, in any of his Majesty's Courts of Record, within this Kingdom of Ireland, in his or their own Name or Names, for any Debt due unto his or their Testator or Intestate, and did happen to Dye before any Execution Sued forth by him or them, upon such Judgment or Judgments, the effect or benefit of such Judgment or Judgments, was wholly lost, and such person or persons to whom Letters of Administration of the Goods Unadministrated to such first Testator or Intestate were Committed, could not by the Rules of Law, have any Benefit or Advantage of such Judgment or Judgments by Scire Facias, or otherwise, but were forced for the Recovering of such Debt or Duty, to Sue forth a New Original to their great Expence and Delay: For Remedy Whereof,

Be it Enacted by the Authority aforsaid, That from henceforth in all such Cases it Hall and may be Lawful for any Administrator or Administrators of the Goods Unadministrated of such first Testator or Intestate to Sue forth any Writ or Writs of Scir. Fac. upon any such Judgment or Judgments so had and obtained in the Name or Names of such Executor or Administrator,

strator, and have the Benefit and Advantage of such Judgment or Judgments as fully to all Intents and Purposes as such Executor or Administrator himself might have had if he or they had been Living and sued forth such Writ or Writs upon any such Judgment; Any Law, Custom, or Usage of the Contrary hereof in any wise notwithstanding.

And whereas it has been held, that there is a certain Custom within this Kingdom of Ireland, to the effect following, that is to say, That if any Person Dye possessed of, or Intituled to any Goods, Things in Action, or Personal Estate whatsoever; And having at the time of his Death, a Wife, or Child, or Children, That in such case all the said Estate is to be divided unto Three equal parts, whereof one third part belongs to the Wife, another to the Child or Children, and the other third part only to be subject to the disposition of the Party Deceased, by his Last Will or Testament, in case he make any, or to go in a course of Administration in case he Dye Intestate, and if he leave a Wife only, and no Child or Children, then the said Estate to be divided into Two parts, whereof the One Moety to go to the Wife, and the other Moety only to be subject to his disposition by Will, as aforesaid; otherwise to go in a course of Administration, in case he Dye Intestate: And in like manner if he Shall leave a Child, or Children and no Wife.

Now it is hereby Declared, That the said Custom Shall from henceforth be Absolutely Null and Void to all Intents and Purposes whatsoever; and Shall not be taken to be in force, or to be binding to any Person or Persons whatsoever.
And

And whereas the Executors and Administrators of such Persons who have possessed themselves of Considerable Personal Estates of other Dead Persons, and Converted the same to their own use have no Remedy by the Rules of the Common Law, as it now stands, to pay the Debts of those Persons whose Estate hath been so Converted by their Testator or Intestate, which hath been found very Mischievous, and many Creditors defeated of their Just Debts, although their Debtors left behind them sufficient to satisfy the same with a great Overplus. For Remedy whereof.

Be it further Enacted by the Authority aforesaid, That all and every the Executors and Administrators of any Person or Persons who as Executor or Executors in his or their own Wrong, or as Administrator shall from and after the Fifth day of November, in this present Year of Our Lord, One Thousand Six Hundred Ninety and Five, waste or Convert any Goods, Chatties, Estate or Assets of any Person Deceased to their own use shall be liable and Chargable to make good the same out of the Assets of such Testator or Intestate.

An Act for Reviving Two Statutes lately Expired, and making them Perpetual; And for Avoiding Unnecessary Sutes and Delays.

C H A P. VII.

WHEREAS in a Parliament held in the Seaventeenth and Eighteenth Years of the Reign of King Charles the second, the several Statutes hereafter mentioned were Enacted (*vizt.*) One Act, Intituled, An Act to prevent Delays in Extending Statutes, Judgments and Recognizances. And one other Act, Intituled, An Act to prevent Arrests of Judgments, and Superfeding Executions: Both which Acts are now Expired; but by Experience have been found to be good and profitable Laws for this Kingdom, and fit to be Revived and made Perpetual.

Be it therefore Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons of this present Parliament Assembled, and by the Authority of the same, That the said several Statutes, and every of them, and all and every the Branches and Clauses in them, and every of them Contained, are hereby Revived, and shall from henceforth be, Remain and Continue in Force and in Effect for Ever.

And be it further Enacted by the Authority aforesaid, That in all Actions Real and Personal, or mixt, the Death of either Party between the Verdict and the Judgment shall not be hereafter alledged for Error, so as Judgment be Entred within two Terms after such Verdict.

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An Act for Redress of Inconveniencies for want of Proof of the Deceases of Persons beyond the Seas, or Absenting themselves, upon whose Lives Estates do Depend,

C H A P. VIII.

WHEREAS Divers Lords of Manours and others, have used to Grant Estates by Lease for one or more Life or Lives, or else for Years Determinable upon one or more Life or Lives; And it hath often happened that such Person or Persons for whose Life or Lives such Estates have been Granted have gone beyond the Seas, and absented themselves for many Years, that the Lessors and Reversioners cannot find out whether such Person or Persons be Alive or Dead, by reason whereof such Lessors and Reversioners have been held out of Possession of their Tenements for many years after all the Lives upon which such Estates depend are dead, in regard that the Lessors and Reversioners when they have brought Actions for the Recovery of their Tenements, have been put upon it to prove the Death of their Tenants when it is almost Impossible for them to discover the same. For Remedy of which Mischiefe so frequently happening to such Lessors or Reversioners.

Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority of the same, That if such Person or Persons

Persons for whose Life or Lives such Estates have been or shall be granted, as aforesaid, shall remain beyond the Seas, or elsewhere absent themselves in this Realm by the space of Seaven Years together, and no sufficient and Evident proof be made of the Lives of such Person or Persons respectively in any Action Commenced for the recovery of such Tenements by the Lessors or Reversioners, their Heirs or Assigns: The Judges before whom such Action shall be brought shall direct the Jury to give their Verdict as if the person so remaining beyond the Seas, or otherwise, absenting himself were Dead.

And be it further Enacted, That in any such Action, wherein the Life or Death of any such Person or Persons shall come in question between the Lessor or Reversioner, and the Tenant in possession; it shall and may be Lawful for the Lessor or Reversioner to take Exception to any of the Jurors returned for the Tryal of that Cause, that the greatest part of the Real Estate of any such Juror is held by Lease for Life or Lives, who upon proof thereof shall be set aside as in case of other Legal Challenges.

Provided always, and be it Enacted, That if any Person or Persons shall be Evicted out of any Lands or Tenements by Vertue of this Act, and afterwards if such person or persons upon whose Life or Lives such Estate or Estates depend, shall return again from beyond the Seas, or shall on proof in any Action to be brought for recovery of the same, be made appear to be Living, or to have been Living at the time of the Eviction, that then, and from thenceforth the Tenant or Lessee who was out-
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ed of the same, his or their Executors, Administrators or Assigns, shall or may Re-enter, Re-possess, have, hold, and Enjoy the said Lands or Tenements as in his or their former Estate, for, and during the Life or Lives, or so long Term as the said person or persons, upon whose Life or Lives the said Estate or Estates depend, shall be Living, and shall also upon Action or Actions to be brought by him or them against the Lessors, Reversioners or Tenants in possession, or other persons respectively, which since the time of the said Eviction received the Profits of the said Lands or Tenements, recover for Damages the full Profits of the said Lands or Tenements respectively, with Lawful Interest, for and from the time that he or they were outed of the said Lands or Tenements, and kept and held out of the same by the said Lessors, Reversioners, Tenants, or other persons, who after the said Eviction Received the Profits of the said Lands or Tenements, or any of them Respectively, as well in the Case where the said Person or Persons, upon whose Life or Lives such Estate or Estates did depend, are, or shall be Dead at the time of bringing the said Action or Actions as if the said Person or Persons were then Living.

F I N I S.

as it is the law of England that no man shall be taken or imprisoned against the law of God nor the law of the land without being first indicted by the jury of his neighbors.

An Act for the more Effectual Suppressing of Pro-
phane Cursing and Swearing.

CHAP. IX.
WHEREAS it is found by Experience, that
an Act of Parliament made in the
Tenth and Eleventh Years of the
Reign of King CHARLES the First, Intituled:
An Act to Prevent and Reform prophane Swearing
and Cursing, hath proved Ineffectual to the Sup-
pressing of those Detestable Sins, by Reason of
some Deficiency in the said Act.

Be it therefore Enacted by the King's Most Ex-
cellent Majesty, by, and with the Advice and Con-
sent of the Lords Spiritual and Temporal, and
Commons in this present Parliament Assembled,
and by Authority of the same, That if any per-
son or persons shall after the Fifth Day of Novem-
ber, in this present Year of Our Lord, One
Thousand Six Hundred Ninety and five, Pro-
phanely Swear and Curse, in the presence or hear-
ing of any Justice of Peace of the County,
Division, or of the Mayor, or other head Officer
or Justice of Peace, for any City, or Town Corpor-
ate, where such Offence is or shall be Committed,
or that shall be thereof Convicted by the Oath of
one Witness, or by the Confession of the Party
Offending, before any Justice of the Peace of the
County, or Mayor, or Bailiff, or other Chief
Officer, or Justice of the Peace of such City, or
Town Corporate, where the said Offence shall

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be Committed, That then for every such Offence, the party so Offending, shall Forfeit and Pay to the Use of the Poor of the Parish where such Offence or Offences shall be Committed the Respective Summs herein-after mentioned, that is to say, Every Servant, Day-Labourer, Common-Soldier, and Common-Seaman One Shilling, and every other Person Two Shillings: And in Case any of the Persons aforesaid, shall after Conviction, Offend a second time, such Persons shall Forfeit and Pay double; and if a third time, Treble the Summ respectively by him or her to be paid for the first Offence.

And it is hereby further Enacted, That upon Neglect or Refusal of Payment of the said Forfeiture, any Justice of Peace of the County, or Mayor, or other Head Officer, or Justice of Peace of any City, or Town Corporate where the said Offence shall be Committed, shall, and are hereby Authorized and Required to Direct and send his Warrant to the Constable, Tything-Man, Church-Warden, or Overseer of the Poor of the Parish where the Offence shall be committed, or where the Offender shall Inhabit, thereby Commanding them, or some one or more of them, to Levy by Distress, and Sale of the Goods of the Offender, the Summ so forfeited for the use of the Poor of the Parish as aforesaid: And in case no such Distress can be had, then every such Offender being above the Age of Sixteen Years, shall by Warrant under the hand and Seal of the said Justice of Peace, or other Officer, as aforesaid, be Publicly Set in the Stocks, for the space of One hour for every single Offence, and for any Number of Offences whereof he shall be Convicted

dicted at one and the same time, then Two Hours; And if the Party Offending be under the Age of Sixteen Years, and shall not forthwith pay the said Forfeitures, then he or she shall by Warrant, as aforesaid, be Whipt by the Constable, or by the Parent, Guardian or Master of such Offender, in the presence of the Constable.

And be it further Enacted, That if any Justice of the Peace or Chief Magistrate shall willfully and willingly omit the performance of his Duty in the Execution of this Act, he shall Forfeit the Summ of Five Pounds; the one Moiety to the use of the Informer, to be Recovered by Action, Sute, Bill or Plaint, in any of His Majesty's Courts, wherein no Esloyn, Protection or Wager of Law shall be allowed, nor any more then one Imparlance granted.

And it is hereby further Enacted, That if any Action or Sute shall be Commenced, or brought against any Justice of Peace, Constable, or other Officer or Person whatsoever, for Doing, or Causing to be Done any thing in pursuance of this Act concerning the said Offences, the Defendant in such Action may plead the General Issue, and give the Special Matter in Evidence; And if upon such Action Verdict be given for the Defendant, or the Plaintiff become Non-Sute, or Discontinue his Action, then the Defendant shall have treble Costs.

Provided always, And it is hereby Enacted, That no Person shall be Prosecuted or Troubled for any Offence against this Statute unless the same be proved or prosecuted within Ten Days next after the Offence committed.

And it is further Enacted by the Authority aforesaid, That this Act shall be Publickly Read Four Times in the Year in all Parish Churches
and

and all Publick Chappels, by the Parson, Vicar or Curate of the Respective Parishes or Chappels immediately after Morning Prayers on four severall Sundays, that is to say, The Sunday next after the Fifth Day of November, in this present Year of Our Lord One Thousand Six Hundred Ninety Five; The Fifth Day of February following; The Fifth Day of May, which will be in the Year of Our Lord, One Thousand Six Hundred Ninety Six; And the Fifth Day of August following, under the pain of Twenty Shillings for every such Omission or Neglect.

And be it further Enacted by Authority aforesaid, That the Justices of Peace, Mayor, or other Head-Officer shall Register in a Book to be kept for that purpose all the Convictions made before him upon this Act, and the time or Making thereof, and for what Offence; And shall Certifie the same to the next General-Quarter-Sessions of the Peace for the said County, or place where the Offences are Committed, to be there kept upon Record by the Respective Clerks of the Peace, to be seen without Fee or Rewards.

An Act to take away Damage Clear,

C H A P. X.

WH E R E A S the Moneys which are taken by Prothonotaries of Your Majesty's Courts of Kings-Bench and Common-Pleas, and by the Clerk of Your Majesty's Court of Exchequer at Dublin, and the Clerks

Clerks and Prothonotaries in any other Court within this Realm, in the name of Damna Clericorum, or Damage Clear, are an unnecessary Charge and Burthen to all Your Majesty's Subjects, who have good Cause and put to Sue for Damage in Actions where Damages are Recoverable: For avoiding of which Inconveniency for the future, and that Your Majesty's Subjects may have an easier means for Recovery of their Damages and Just Rights which are unjustly detained from them; May it please Your Most Excellent Majesty that it may be Enacted, and His Most Excellent Majesty being willing upon all Occasions to Ease his Subjects of all unnecessary Charges and Burthens, is Graciously Pleased that it be Enacted.

And be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, That no Damage Clear shall by any Title or Pretence whatsoever be Due, Payable, Taken or Received from any Person or Persons in any Action whatsoever, Sued or Prosecuted in any of His Majesty's Courts at Dublin, or elsewhere within the Kingdom of Ireland, by any Prothonotary, Clerk or Clerks, or other Officer or Officers of the said Courts respectively, and that the said Fee of Damna Clericor. or Damage Clear, shall wholly cease and be for ever Abolished in the said Courts; and that if any Prothonotary Clerk or Clerks, or other Officer in any of the said Courts shall take or Exact any Summ or Summs of Money in the name of Damna Clericor. or Damage Clear, or any thing in Lieu thereof, or if any of the said Prothonotaries, Clerk or Clerks, or their Deputies, shall Exact or take
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any Damage Clear, or Summ of Money, Bond or Security in Lieu thereof, from any Plaintiff or Plaintiffs, Demandant or Demandants, in any Action where Damages have been, or hereafter shall be recovered in any of the said Courts, or shall refuse or delay to Sign any Judgment until Damage Clear be first paid by the Plaintiff or Demandant, he or they so Offending shall Forfeit Treble the Summ so Taken, Exacted or Demandant to the Party or Parties grieved, to be recovered by Bill, Plaint or Information in any of the said Courts, wherein no Essoyn, Protection or Wager of Law shall be Allowed.

An Act to take away the Benefit of Clergy from him that doth Stabb another, not having a Weapon Drawn.

C H A P. XI.

TO the End that Stabbing and Killing Men on the sudden, Done and Committed by many Inhumane and Wicked Persons in the time of their Rage, Drunkenness, hidden Displeasure, or other Passion of Mind, Contrary to the Commandment of Almighty God, and the Common Peace and Tranquillity of this Realm, may from henceforth be Restrained for fear of due Punishment to be Inflicted on such Cruel and Bloody Malefactors, who heretofore have been thereunto Embolden by presuming on the Benefit of the Clergy.

Be it therefore Enacted by the King's Most Excellent Majesty, by, and With the Advice and Consent

Consent of the Lords Spiritual and Temporal, and the Commons of this present Parliament Assembled, and by the Authority of the same, That every Person and Persons who after the End of this present Parliament shall Stabb or Thrust any Person or Persons that hath not then any Weapon Drawn, or that hath not then first stricken the Party which shall so Stabb or Thrust, so as the Person or Persons so Stabbed or Thrust shall thereof Die within the space of Six Months then next following, although it cannot be proved that the same was Done of Malice Fore-thought. yet the Party so Offending, and being thereof Convicted Verdict of by Twelve Men, Confession, or otherwise, according to the Laws of this Realm shall be Excluded from the Benefit of his or their Clergy, and suffer Death as in Case of Felony, without Benefit of Clergy.

Provided always, that this Act, or any thing therein Contained, shall not Extend to any Person or Persons which shall Kill any Person Se Defendendo, or by Misfortune, or in any other manner then as aforesaid, nor shall Extend to any Person or Persons who in keeping and preserving the Peace, shall Chance to Commit Manslaughter, so as the said Manslaughter be not Committed Wittingly, Willingly, and of purpose, under pretext and Colour of Keeping the Peace, nor shall Extend to any person or persons, which in Chastizing or Correcting his Child or Servant, shall besides his or their Intent and Purpose Chance to Commit Manslaughter.

F I N I S.

An Act for prevention of Frauds and Perjuries.

CHAP. XII.

FOR Prevention of many Fraudulent Practices which are Commonly Endeavoured to be upheld by Perjury and Subornation of Perjury.

Be it Enacted by the King's Most Excellent Majesty, by and With the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority of the same, That from and after the Feast Day of the Nativity of St. John Baptist, which shall be in the Year of Our Lord, One thousand, six hundred, ninety six, all Leases, Estates, Interests, Freeholds or Terms of Years, or any uncertain Interest of, into, or out of Realuages, Manours, Lands, Tenements or Hereditaments made and Created by Liberty of Seizen only, or by Paroll, and not put in Writing, and Signed by the parties so making and Creating the same, or their Agents thereunto Lawfully Authorized, by Writing, shall have the Force and Effect of Leases and Estates at Will only; And shall not either in Law or Equity be Deemed or taken to have any other or greater Force and Effect, any Consideration for making such Paroll, Leases or Estates, or any former Law or Usage to the Contrary Notwithstanding: Except Nevertheless all Leases not Exceeding the Term of three Years from the making thereof, whereupon the Rent Reserved to the Landlord, during such Term, shall amount unto two third parts, at the least, of the full Improved value of the thing Demised.

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And

And morrover that no Estates, Leases or Interests, either of Freehold or Term of Years, or any uncertain Interest not being Copyhold or Customary Interest, of, into or out of any Messuages, Lands, Tenements, or Hereditaments, shall at any time after the said Feast day of the Nativity of Saint John the Baptist, which shall be in the said Year of Our Lord God, One thousand, six hundred, ninety and six, be Assigned, Granted, or Surrendered, unless it be by Deed, or Note in Writing, Signed by the parties so Assigning, Granting, or Surrendring the same, or their Agents thereunto Lawfully Authorized by Writing, or by Act and Operation of Law.

And be it further Enacted, by the Authority aforesaid, That from and after the said Feast day of the Nativity of St. John the Baptist, which shall be in the said Year of Our Lord, One thousand, six hundred and ninety six, no Action shall be brought whereby to charge any Executor or Administrator upon any Special Promise, to answer Damages out of his own Estate, or whereby to charge the Defendant upon any Special Promise to answer for the Debt, Default, or Miscalriage of another person, or to charge any person upon any agreement made upon any Consideration of Marriage, or upon any Contract or Sale of Lands, Tenements, or Hereditaments or any Interest in, or concerning them, or upon any Agreement that is not to be performed within the space of one Year from the making thereof, unless the Agreement upon which such Action shall be brought, or some Memorandum, or Note thereof shall be in Writing, and Signed by the party to be charged therewith, or some other person thereunto by him Lawfully Authorized.

And

And be it further Enacted by the Authority aforesaid, That from and after the said Feast day of the Nativity of St. John the Baptist, which shall be in the said Year of Our Lord, One thousand six hundred, ninety and six, all Devises and Bequests of any Lands, Tenements, or Hereditaments, Devisable, either by force of the Statute of Wills, or by this Statute, or by force of the Custom of any Burrough, or any other particular Custom, shall be in Writing, and Signed by the party so Devising the same, or by some other person in his presence, and by his expresse Directions, and shall be Attested and Subscribed in the presence of the said Devisor, by three or more Credible Witnesses or else they shall be utterly void and of none Effect.

And moreover no Devise in Writing of any Lands, Tenements or Hereditaments, that at any time after the said Feast day of the Nativity of St. John the Baptist, which shall be in the said Year of Our Lord God, One Thousand, Six hundred, Ninety and Six, be Revocable, otherwise then by some other Will or Codicil in Writing, or other Writing Declaring the same, or by Burning, Cancelling, Tearing or Obliterating the same by the Testator himself, or in his presence, and by his Directions and Consent; but all Devises and Bequests of Lands and Tenements shall Remain and Continue in Force untill the same be Burnt, Cancelled, Torn or Obliterated by the Testator, or his Directions in manner aforesaid; or unless the same be Altered by some other Will or Codicil in Writing, or other Writing of the Devisors, Signed in the presence of three or more Witnesses Declaring the same, any former Law or Usage to the Contrary notwithstanding.

And

And be it further Enacted by the Authority aforesaid, That from and after the said Feast Day of the Nativity of Saint John the Baptist, which shall be in the said Year of Our Lord God, One thousand Six hundred Ninety and six, all Declarations, or Creations of any Trusts, or Confidences of any Lands, Tenements, or Hereditaments, shall be Manifested and Proved by some Writing Signed by the Party, who is by Law Enabled to Declare such Trust, or by his Last Will in Writing, or else they shall be utterly Void and of none Effect.

Provided always, that Where any Conveyance shall be made of any Lands or Tenements, by which a Trust or Confidence shall or may arise, by Implication or Construction of Law, or to be Transferred or Extinguished by Act or Operation of Law, then, and in every such Case, such Trust or Confidence shall be of the like Force and Effect, as the same would have been, if this Statute had not been made, any thing herein before contained to the contrary notwithstanding.

And be it further Enacted, That all Grants and Assignments of any Trust or Confidence, shall likewise be in Writing, Signed by the Party Granting or Assigning the same, or by such Last Will and Devise, or else shall likewise be utterly Void and of none Effect.

And be it further Enacted by the Authority aforesaid, That from and after the said Feast Day of the Nativity of Saint John the Baptist, which shall be in the Year of Our Lord God, One thousand Six hundred and Ninety six, it shall and may be Lawful for every Sheriff, or other Officer, to whom any Precept or Writ is, or shall be Directed at the Suite of any Person

son or Persons of, for, and upon any Judgment, Statute or Recognizance hereafter to be made or had, to do, make and deliver Execution unto the Party in that behalf Sueing of all such Lands, Tenements, Rectories, Tyths, Rents and Hereditaments, as any other Person or Persons be in any manner of Wise Seized or Possessed in Trust for him against Whom Execution is so Sued, like as the Sheriff or other Officer might or ought to have Done if the said Party against Whom Execution hereafter shall be so Sued, had been Seized of such Lands, Tenements, Rectories, Tyths, Rents, or other Hereditaments of such Estate as they be Seized of in Trust for him at the time of the said Execution Sued; which Lands, Tenements, Rectories, Tyths, Rents, or other Hereditaments, by Force and Vertue of such Executions shall accordingly be Held and Enjoyed, Freed and Discharged from all Incumbrances of such Person or Persons as shall be so Seized or Possessed in Trust for the Person against Whom such Execution shall be Sued: And if any Cestique Trust hereafter shall Dye, leaving a Trust in Fee Simple, to Descend to his Heirs; there and in every such Case, such Trust shall be Deemed and Taken, and is hereby Declared to be Assets by Descent, and the Heir shall be liable to, and Chargeable with the Obligation of his Ancestor, for, or by Reason of such Assets as fully and amply as he might and ought to have been, if the Estate in Law had Descended to him in Possession in like Manner as the Trust Descended, any Law, Custom or Usage to the contrary in any wise notwithstanding.

Provided always, That no Heir who shall become Chargeable by reason of any Estate or Trust

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make

made Assets in his hands by this Law, shall by reason of any kind of Plea, or Confession of the Action, or suffering Judgment by Nient de dire, or any other matter be chargable to pay the Condemnation out of his own Estate, but Execution shall be Sued of the whole Estate so made Assets in his hands, by Descent, in whose hands soever it shall come after the Writ purchased in the same manner as it is to be at, and by the Common Law where the Heir at Law Pleading a true Plea, Judgment is prayed against him thereupon, any thing in this present Act contained to the contrary notwithstanding. And for the Amendment of the Law in the particulars following.

Be it further Enacted by the Authority aforesaid, That from henceforth any Estate Pur autre vie, shall be Devisable by a Will in Writing, Signed by the party so Devising the same, or by some other person in his presence, and by his express Direction Attested and Subscribed in the presence of the Devisor, by three or more Witnesses; And if no such Devise thereof be made, the same shall be Chargable in the hands of the Heir, if it shall come to him, by reason of a special Occupancy, as Assets by Descent, as in Case of Lands in Fee Simple, and in Case there be no special Occupant thereof, it shall go to the Executors, or Administrators of the party that had the Estate, thereof by Vertue of the Grant, and shall be Assets in their hands.

And Whereas it hath been found Mischievous, That Judgments in the King's Courts at Dublin, do many times relate to the First day of the Term, whereof they are Entred, or to the day of the Return of the Original, or Filing the Bail, and Bind the Defendants Lands from that time

time, although in Truth they were acknowledged or Suffered, or Signed in the Vacation time after the said Term, Whereby many times Purchasers find themselves agrieved.

Be it Enacted therefore, by the Authority aforesaid, That from and after the said Feast Day of the Nativity of Saint John the Baptist, which shall be in the said Year of Our Lord God, One thousand Six hundred Ninety six, any Judge or Officer in his Majesty's Courts at Dublin, that shall Sign any Judgment, shall at the Signing of the same, without fail for so doing of the same, set down the day of the Month, and Year of his so doing, upon the Paper, Book, Docket, or Record which he shall Sign, which day of the Month and Year, shall be also Entered upon the Margent of the Roll of the Record, where the said Judgment shall be Entered.

And be it Enacted, That such Judgments as against Purchasers, bona fide, for Valuable Considerations of Lands, Tenements or Hereditaments, to be Charged thereby, shall in Consideration of Law, be Judgments only from such time as they shall be so Signed, and shall not relate to the first day of the Term whereof they are Entered, or the Day of the Return of the Original, or Filing the Bail, any Law or Usage, or Course of any Court to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That from and after the said Feast day of the Nativity of Saint John the Baptist, which shall be in the said Year of our Lord God, One thousand Six hundred Ninety and six, no Writ of Fier. fac. or other Writ of Execution, shall bind the property of the Goods of the Party
against

against whom such Writ of Execution is Sued forth, but from the time such Writ shall be delivered to the Sheriff, Under-Sheriff, or Coroner to be Executed. And for the better Manifestation of the said time, the Sheriff, Under-Sheriff and Coroners, their Deputies and Agents, shall upon the Receipt of any such Writ, without Fee for doing the same, Endorse upon the backside thereof, the day of the Month, and Year, whereon he or they received the same.

And be it further Enacted by the Authority aforesaid, That from and after the said Feast day of the Nativity of Saint John the Baptist, which shall be in the said Year of our Lord God, One thousand Six hundred and Ninety six, no Contract for the Sale of any Goods, Wares, or Merchandizes, for the price of Ten pounds Sterl. or upwards, shall be allowed to be good, except the Buyer shall accept part of the Goods so Sold, and actually receive the same, or give something in Earnest to bind the Bargain, or in part of Payment, or that some Note or Memorandum in Writing of the said Bargain, be Made and Signed by the parties to be charged by such Contract, or other Agents thereunto lawfully Authorized.

And be it further Enacted by the Authority aforesaid, That the day of the Month and Year of the Inrollment of the Recognizances, shall be set down in the Margin of the Roll, where the said Recognizances are Inrolled, and that from and after the said Feast day of Saint John the Baptist, which shall be in the said Year of Our Lord God, One thousand Six hundred and Ninety six, no Recognizances shall bind any Lands, Tenements, or Hereditaments, in the hands of any Purchaser, bona fide, and for Valuable

Valuable Consideration, but from the time of such Enrolment, Any Law, Usage, or Course of any Court to the contrary notwithstanding.

And for prevention of Fraudulent Practises in setting up Noncupative Wills, which have been the occasion of much Perjury.

Be it Enacted by the Authority aforesaid, that from and after the said Feast Day of St John the Baptist, which shall be in the said Year of Our Lord God, One thousand six hundred, ninety six, no Noncupative Will shall be good where the Estate thereby Bequeathed shall exceed the Value of Thirty Pounds, that is not proved by the Oaths of three Witnesses (at least) that were present at the making thereof, nor unless it be proved that the Testator at the time of pronouncing the same did bid the Persons present, or some of them, bear Witness that such was his Will, or to that Effect; Nor unless such Noncupative Will were made in the time of the last Sicknes of the Deceased, and in the House of his or their Habitations or Dwelling, or where he or she hath been Resident for the space of Ten Days or more next before the making of such Will, except where such Person were surprized or taken Sick, being from his own home, and Dyed before he Returned to the place of his or her Dwelling.

And be it further Enacted, That after Six Months passed after the speaking of the pretended Testamentary Words, no Testimony shall be Received to prove any Will Noncupative, except the said Testimony, or the Substance thereof, were Committed to Writing within six Days after the making of the said Will.

And be it further Enacted, That no Letters Testamentary or Probate of any Noncupative Will

10 Anno Regni Septimo Gulielmi Tertii.

Will Hall Pass the Seal of any Court till four-
teen Days, at the least, after the Decese of the
Testator be fully Expired, nor Hall any Nuncu-
pative Will be Received to be proved unless
Witnesses have first Jured to Call in the Wi-
dow or next of Kindred to the Deceased, to the
End they may, Contest the same if they please.

And be it further Enacted, That no Will
in Writing Concerning any Goods or Chatties,
or Personal Estate Hall be Repealed; Nor Hall
any Clause, Devise or Bequest therein be Al-
tered or Changed by Words or Will, by Mouth
of Mouth only, Except the same be in the life
of the Testator Committed to Writing; And
after the Writing thereof Read unto the Testa-
tor, and Allowed by him, and proved to be so
Done by three Witnesses at the least.

Provided always, That Notwithstanding this
Act, any Soldier, being in Actual Military Ser-
vice, or any Mariner or Seaman being at Sea
may Dispose of his Moveables, Wages, and
Personal Estate, as he or they might have Done
before the making of this Act.

And it is hereby Declared that Nothing in
this Act Hall Extend to Alter or Change the
Jurisdiction or Rights of Probates of Wills
Concerning Personal Estates, but that the Pre-
rogative Court of the Arch-Bishop of Armagh,
and other Ecclesiastical Courts, and other Courts,
having Right to the Probate of such Wills, Hall
retain the same Right and Power as they had
before in every Respect, subject Nevertheless to
the Rules and Directions of this Act.

FINIS.

An Act for the more Easy Discharging of Sheriffs upon their Accounts: And from being Justices of the Peace.

CHAP. XIII.

WHEREAS Divers Sheriffs of Counties within this Kingdom of IRELAND, have been often Troubled and Tired long time after they have respectively passed their Accounts, and obtained their Quietus est; and Charged a-new With Arrearages, Debts, and Summs of Money pretended to have been by them Levied or Received, and not by them formerly Accounted for, to the great Discouragement of others to take upon them the said Office. His Most Excellent Majesty is therefore Graciously pleased that it may be Enacted.

And be it Enacted by the Kings Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same, That all and every Sheriff or Sheriffs, who already have passed their Accounts, and obtained their Quietus: And all and every Sheriff or Sheriffs, who hereafter shall pass his or their Accounts, and have his or their Quietus est, that then and from thenceforth, the said Sheriff and Sheriffs, his and their Heirs, Executors and Administrators, Lands, Tenements, Goods and Chattles are, and shall be Absolutely Dischar-

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ged of and from all manner of Summ and Summs of Money, which he or they shall have so Levied or Received, and pretended not to be Accounted for within the said Account, whereupon he or they had his or their Quierus est, unless such Sheriff or Sheriffs, their Executors or Administrators have been, or shall be called in Question for such Summ or Summs of Money, to be Levied or Received, and not Accounted for, within the space of Four Years after the time of such Account passed, and Quierus est obtained.

And that every Officer or Minister, that shall send out, or cause to be sent out, any Writ or Process, or by whose Default any Writ or Process shall be sent out, contrary to the Tenor of this Act, shall for every such Offence, Forfeit and Pay to the party Grieved by such Writ or Process, the Summ of Forty Pounds, with his Costs and Damages, the said Summ of Forty Pounds, And the said Costs and Damages to be Recovered by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at Dublin, at the Election of the Plaintiffs or Prosecutors, wherein no Priviledge, Protection, Esloyn, or Wager of Law shall be allowed to the Defendant.

And be it further Enacted by the Authority aforesaid, That every such Offender being three times Lawfully Convicted of any such Offence or Offences, contrary to the True meaning of this Act, shall from and after such their said Conviction be utterly Disabled to Hold or Execute by himself, his Deputy or Deputies, any Office or Employment in any Court of Justice whatsoever.

And whereas Divers Persons being in Commission

mission of the Peace have been made Sheriffs or Sub-Sheriffs of the same County Where they were in such Commission, or being Sheriffs or Sub-Sheriffs, have been after put into the Commission of the Peace in the County Where they were Sheriff or Sub-Sheriffs; and have Exercised both the said Offices at once in the same County, which is found to be Inconvenient. For Remedy whereof,

Be it Enacted, by the Authority aforesaid, That no Person or Persons, having Using or Exercising the Office of Sheriff or Sub-Sheriff, of, or in any County or Counties, shall Use or Exercise the Office of Justice of the Peace in the same County or Counties Where he or they shall be Sheriff or Sub-Sheriff, during the time that he or they shall Use or Exercise the said Office of Sheriff or Sub-Sheriff: And that all and Every Act and Acts to be Done, from and after the End of this present Session of Parliament, as a Justice of the Peace by any such Sheriff or Sub-Sheriff, during the time of his being Sheriff or Sub-Sheriff, shall be Void and of none Effect and shall Lose and Forfeit for Every such Offence the sum of Twenty Pounds, one Moiety thereof to be to the Use of His Majesty, His Heirs and Successors; the other Moiety to him who shall sue for, and Recover the same by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at Dublin, wherein no Essoyn, Protection, or Wager of Law shall be Allowed.

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An Act Declaring which Days in the Year shall be Observed as Holy-Days.

CHAP. XIV.

WHEREAS many Idle Persons refuse to Work at their Lawful Calling and Labour on several Days in the Year, on pretence that the same is Dedicated to some Saint, or pretended Saint, Patron, or pretended Patron, for whom they have, or pretend to have Reverence or Respect: And chuse rather to spend such Days in Idleness, Drunkenness, And Vice, to the Scandal of Religion, rather then following and Working in their Lawful Calling, and Usual Imployment, which hath been found by Experience, to tend very much to the Impoverishing and hindring the Improvement of this Kingdom. For Remedy Whereof,

Be it Enacted by the King's Most Excellent Majesty, by, and With the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this Present Parliament Assembled, and by the Authority of the same, That if any Common Labourer, being Hired, or other Servant retained, shall Refuse to Work upon any other Day, then the several Days hereafter mentioned, being thereunto Required, upon the Usual and Accustomed Wages, (That is to say) All Sundays in the Year. The Day of the Feast of the Circumcision of Our Lord JESUS Christ. Of the Epiphany, Of the Con-
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version of Saint Paul. Of the Purification of the Blessed Virgin. Of Saint Mathias the Apostle. Of the Annunciation of the Blessed Virgin. Of Saint Mark the Evangelist. Of Saint Phillip and Jacob the Apostles. Of Saint Barnabas the Apostle. Of the Ascension of Our Lord JESUS Christ. Of the Nativity of Saint John the Baptist. Of Saint Peter the Apostle. Of Saint James the Apostle. Of Saint Bartholomew the Apostle. Of Saint Mathew the Apostle. Of Saint Michael the Arch-Angel. Of Saint Luke the Evangelist. Of Saint Simon and Saint Jude the Apostles. Of All-Saints. Of Saint Andrew the Apostle. Of Saint Thomas the Apostle. Of the Nativity of Our Lord. Of Saint Stephen the Martyr. Of Saint John the Evangelist. Of the Holy Innocents. Munday and Tuesday in Easter Week. Munday and Tuesday in Whitsun Week. The Twenty Third of October. Fifth of November. The Thirtieth Day of January, and Twenty Ninth Day of May, Yearly. And that no other Day. Except the Days aforesaid, and such other Days as on some Extraordinary Occasions shall hereafter be set a-part, by Order of His Majesty, His Heirs and Successors, or the Chief Governour or Governours of this Kingdom, for the time being, shall be kept, or Commanded to be kept holy, or to Abstain from Lawful Bodily Labour. Every such Person or Persons so Refusing, being thereof Lawfully Convicted by him or their own Confession, or by the Testimony of one, or more sufficient Witnesses or Witnesses, upon Oath, before any Justice of the Peace, in any County, Mayor, or other Chief Officer of any City,

City, Burrough, Town or Corporation, who shall have power by Vertue of this Statute to minister such Dashes where the Offence shall be Committed, or the Party Offending Apprehended, shall Forfeitt the summe of Two Shillings, to be paid at such time, or to such Person as by the said Justice of the Peace, or other Chief Officer aforesaid, shall be appointed, to be Disposed of to the Poor of the Parish where such Offence shall be Committed. And if such Offender or Offenders shall Neglect or Refuse to pay the said summe to be Assessed or Appointed, as aforesaid, then the said Justice of the Peace, or other Head-Officer, aforesaid, shall Commit all and every such Offender and Offenders to some Constable, or other Inferiour Officer of the County, City, Town, or Corporation, where the said Offence shall be Committed, or the Party Apprehended, to be Publickly Whipped; which Punishment shall be Publickly Inflicted and Executed upon such Offenders, within the space of Twenty Four Hours after such Order made.

And be it Enacted by the Authority aforesaid, That if any Constable or Inferiour Officer, aforesaid, Do Refuse, or do not at the Commandment of any Justice of the Peace, or other Chief Officer of any County, City, Town, or Corporation, Execute by himself, or by some other, to be by him procured, the Punishment aforesaid upon all such Offenders; That in that Case it shall and may be Lawfull for the said Justice of the Peace, and all and Every other Justice or Justices of the Peace, or Chief Officer of any such County, City, Town, or Corporation, upon sufficient Information thereof, to bind over such Constable, or
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Inferior Town-Officer, to the next General-Quarter-Sessions of the Peace, or General Assizes, or Goal-Delivery, which shall first happen there, to be proceeded against for such his Contempt: And in Case he shall be found Guilty thereof, upon Examination of One or more Witnesses or Witnessess, he shall be Fined at the Discretion of the Court, so as such Fine for Every such Offence Do not Exceed the Summ of Twenty Shillings.

Provided always, That no Justice of the Peace, or Head-Officer of any Town or Corporation, Do Execute this Statute for any Offence Done unto himself, or Whereof Complaint was not made within Ten Days after such Refusal to Work, as aforesaid: And all Justices of Assize and Goal-Delivery are hereby Required to give this Act in Charge at Every Assize or Goal-Delivery within the several Counties of their Circuits; and to Enquire of, Hear and Determine the Neglect of all Justices of the Peace, and others in the Due Execution of this Statute.

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C H A P. XV.

An A C T for Granting a Supply
to His Majesty, by Raifing Money by a Poll,
and otherwise.

C H A P. XVI.

An A C T for Granting unto His
His Majesty. an Aid or Additional Custom,
on the feveral Goods and Merchandizes there-
in mentioned.

AN

An Act for the Better Observation of the *Lords' Day*,
commonly called *Sunday*.

CHAP. XVII.

FOR the better Observation, and Keeping
Holy the Lord's-Day, commonly called Sunday.
Be it Enacted by the King's Most Excel-
lent Majesty, by, and with the Advice and Con-
sent of the Lords Spiritual and Temporal, and
Commons in this present Parliament Assembled;
and by the Authority of the same, That all and
every Person and Persons whatsoever, shall on
every Lord's-Day apply themselves to the Obser-
vation of the same, by Exercising themselves there-
on, in the Duties of Piety and True Religion,
Publickly and Privately: And that no Trades-
man, Artificer, Workman, Labourer, or other
Person whatsoever, shall Do or Exercise any World-
ly Labour, Business, or Work, of their Ordinary
Callings upon the Lord's-Day, or any part thereof
(Works of Necessity and Charity only Excepted.)
And that every Person being of the Age of Four-
teen years, or upwards, Offending in the Premi-
ses, shall for every such Offence Forfeit the Summ
of Five Shillings. And that no Person or Persons
whatsoever, shall publickly Cry, Shew forth, or
Expose to Sale any Wares, Merchandizes, Fruit,
Herbs, Goods, or Chattles whatsoever, upon the
Lord's-Day, or any part thereof, upon pain that eve-
ry person so Offending, shall Forfeit the same Goods
so Cryed, or Shewed forth, or Exposed to Sale.

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And

And it is further Enacted, That no Drover, Horse-Courser, Waggoner, Carrier, Butcher, Higler, their, or any of their Servants, shall Travel, or come into his or their Inn, or Lodging upon the Lord's-Day, or any part thereof, upon pain that each and every such Offender shall Forfeit Twenty Shillings for such Offence: And for prevention of Disorders, and Breaches of the Peace, which commonly happen in divers parts of the Kingdom, by reason of Tumultuous and Disorderly Meetings, which have been, and frequently are used on the Lord's-Day, Commonly called Sunday, under pretence of Hurling, Commoning, Foot-Ball Playing, Cudgels, Wrestling or other Sports.

Be it further Enacted, by the Authority aforesaid, That no person or persons whatsoever, shall Play, Use, or Exercise any Hurling, Commoning, Foot-Ball Playing, Cudgels, Wrestling, or any other Games, Pastimes or Sports, on the Lord's-Day, or any part thereof. And if any person or persons shall Offend therein, and be thereof Convicted in such manner, as hereinafter Directed; Every such person and persons, shall Forfeit the Summ of Twelve Pence Sterl. for every such Offence, to be immediately paid to such Justice of the Peace, Officer or Officers, before whom such Conviction shall be. And that if any person Offending against this Act, or any thing therein contained, shall be thereof Convicted before any Justice of the Peace of the County, or of the Chief Officer or Officers, or any Justice of the Peace, of, or within any City, Burrough, or Town Corporate, where the said Offence shall be Committed, upon his or their View, or Confession of the Party, or proof of any one, or more Witnesses, by Oath, which the said Justices,

Justices, Chief Officer or Officers, is by this Act Authorized to Administer: The said Justice, or Chief Officer or Officers, shall give Warrant under his or their Hands and Seals, to the Constables or Church-Wardens of the Parish or Parishes where such Offence shall be Committed, to Seize the said Goods Cryed, Shewed Forth, or put to Sale, as aforesaid; And to Sell the same: And to Levy the said other Forfeitures or Penalties, by Way of Distress and Sale of the Goods of Every such Offender Distraigned, rendering to the said Offender the Overplus of the Monies Raised thereby. And in Default of such Distress, or in Case of Insufficiency, or Inability of the said Offender, to pay the said Forfeitures and Penalties, That then the party Offending be Set Publickly in the Stocks by the space of two Hours; and all and singular the Forfeitures or Penalties aforesaid, shall be Employed and Converted to the use of the Poor of the Parish, where the said Offences shall be Committed. Saving only, that it shall and may be Lawful to, and for any Justice, Mayor, or Head Officer or Officers, out of the said Forfeitures or Penalties, to Reward any person or persons that shall Inform of any Offence against this Act, according to their Discretions; so as such Reward Exceed not the third part of the Forfeitures or Penalties.

Provided that nothing in this Act Contained, shall Extend to the Prohibiting of Dressing Meat in Families, or Dressing or Selling of Meat in Inns, Cooks-Shops, or Victualling-Houses, for such as otherwise cannot be provided: Nor the Crying or Selling of Milk or Fish before Ten of the Clock in the Morning, or after Four of the Clock in the Afternoon: Nor to the Using of Hackney-Coaches in or about the City of Dublin.

Provided

Provided also, That no person or person shall be Impeached, Prosecuted or Molested for any Offence before-mentioned in this Act, unless he or they be Prosecuted for the same, within Ten Days after the Offence Committed.

Provided And be it further Enacted, by the Authority aforesaid, That if any person or persons whatsoever, which shall Travel on the Lords-Day, shall be then Robbed, that no Hundred, or the Inhabitants thereof, shall be Charged with, or Answerable for any Robbery so Committed; but the person or persons so Robbed, shall be barred from bringing any Action for the said Robbery, Any Law to the Contrary notwithstanding.

Nevertheless the Inhabitants of the Counties, Hundreds, or Baronies, after Notice of any such Robbery to them, or some of them given; or after Hue and Cry for the same to be brought, shall make, or Cause to be made, fresh Sute and Pursuit after the Offenders, with Horse-men and Foot-men, according to the Statute made in the Tenth Year of the Reign of King Charles the First, upon pain of Forfeiting to the King's Majesty, his Heirs and Successors, as much Money as might have been Recovered against the said Hundred or Barony, by the party Robbed, as if this Law had not been made.

Provided also, and be it Enacted, That no Person or Persons upon the Lords-Day, Commonly called Sunday, shall Serve, or Execute, or cause to be Served or Executed, any Writ, Process, Warrant, Order, Judgment, or Decree (Except in Cases of Treason, Felony, or Breach of the Peace) But that the Service of Every such Writ, Process, Warrant, Order, Judgment, or Decree, shall be Void to all Intents and Purposes whatsoever; And the person and persons so Serving or Executing

Executing the same; shall be as Liable to the Sute of the party grieved, and to Answer Damage to him for Doing thereof, as if he or they had done the same without any Writ, Process, Warrant, Order, Judgment, or Decree at all. And for the better preventing, Drinking and Intemperance on the Lord's-Day, commonly called Sunday.

Be it also Enacted by the Authority aforesaid, That no Keeper of any Tavern, Ale-house, or publick Victualling-house, shall receive, entertain, or permit to remain in his house, any person or persons, during the time of Divine-Service, Except those who are of their own Family, or Lodgers in the said house; or furnish them with Wine, Ale, Beer, or other Liquor of any sort, upon the penalty of Forfeiting of Ten Shillings for every such Offence, to be paid by every such Keeper of Taverns, Ale-houses, or publick Victualling-houses; and also of the Summ of Five Shillings to be forfeited by every such person or persons, who shall enter or remain in such Taverns, Ale-houses, or Victualling-houses, contrary to this Act.

And for the better Execution thereof, all Constables and Church-Wardens of Parishes, within the severall Cities, and Towns Corporate within this Realm, are Commanded, and Required frequently, and as often as they have Reasonable cause so to do, to Enter into all Taverns, Ale-houses, and Victualling-houses, within their Parishes or Districts, where they shall Reasonably suspect any person to be, and Remain, contrary to the Intent of this present Act: And to Apprehend such persons as they shall find or Reasonably suspect to be Offenders against the same: And also the Master or Keeper of such

House where such Offenders shall be Apprehended; and them in Custody to Carry before the next, or some other Justice of Peace near the place where such Persons shall be Apprehended; which Justice or Justices of the Peace, are hereby Impowered to Examine Witnesses upon Oath, touching the Breach of this Law: And after Examination to proceed to a Conviction or Acquittal of the Persons Accused, which shall be Final to all Parties. And if such Justice or Justices of the Peace shall upon proof Convict the persons Accused to have Offended against this Law, the said Justice of Peace shall forthwith Demand from such Offenders, the Penalties on them Intended to be Imposed by this Act, and to Receive the same; and in Default of payment, to Commit the Offender to the Goal of the said County, till he shall have made payment of the same; which Summ so paid and Received shall be Applied to the Use of the Poor of the Respective Parishes, where such Offences have been, or shall be Committed.

Provided nothing herein contained, shall Extend to Persons who have been in any Inns before the Lords-Day, commonly called Sunday, and Design to Abide there on Sunday: But it shall and may be Lawful for such persons to continue and remain in such Inns and Publick Houses, as if this Act had never been made.

Provided always, that this Act shall Commence and Take Effect on the first Day of November, in the Year of Our Lord, One Thousand Six hundred Ninety Five, and not before.

FINIS.

An Act for taking Special Bails in the Country upon Actions and Sutes Depending in the Courts of King's-Bench, Common-Pleas, and Exchequer, at Dublin.

C H A P. XVIII.

FOR the Greater Ease and Benefit of all Persons whatsoever, in taking the Recognizances of Special Bail, upon all Actions and Sutes Depending, or to be Depending, in any the Courts of King's-Bench, Common-Pleas, or Exchequer at Dublin.

Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That the Chief Justice, and other the Justices of the Court of King's-Bench, for the time being, or any two of them, whereof the Chief Justice, for the time being, to be one for the said Court of King's-Bench, and the Chief Justice of the Court of Common-Pleas, ; and other the Justices there, for the time being, or any two of them, whereof the Chief Justice of the same Court to be one for the said Court of Common-Pleas ; and also the Chief Baron and Barons of the Court of Exchequer, for the time being, or any two of them, whereof the Chief Baron, for the time being, to be one for the said Court of Exchequer, may, and are Required by one or more Commission or Commissions, according to the Largeness

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ness of the severall Counties, under the severall Seals of the said Respective Courts, from time to time, as need shall Require, Impower such and so many Persons, other then common Attorneys and Solicitors, as shall be fit and Necessary in all and every the severall Counties within the Kingdom of IRELAND, to take and Receive all and every such Recognizance or Recognizances of Bail or Bails, as any person or persons shall be Willing or Desirous to Acknowledge, or make before any of the persons so Impowered, in any Action or Sute Depending, or hereafter to be Depending, in the said Respective Courts, or any of them, in such Manner and Form, and by such Bail Peice, as the Justices and Barons of the said Respective Courts have used to take the same; For each of which Commissions, there shall be paid Thirteen Shillings and Four-pence, and no more: Which said Recognizance or Recognizances of Bail, or Bail peice so Taken, as aforesaid, shall be Transmitted to some, or one of the Justices or Barons of the said Respective Courts, where such Action or Sute shall be Depending: And upon Affidavit made of the Due taking of the Recognizance of such Bail peice, by some Credible person present at the taking thereof, such Chief Justice, or Chief Baron, Justice or Baron, shall receive the same upon payment of such Fees as have been Usually Received for the Taking of Special Bails by the Justices and Barons Clerks, and other the Officers of the said Respective Courts: Which Recognizance of Bail, or Bail peice so taken and Transmitted shall be of the like Effect, as if the same were

were taken, *de bene Esse*, before any of the said Justices and Barons. For the taking of every which Recognizance or Recognizances of Bail, or Bail Peice, the person or persons so Impowered shall Receive only the Summ or Fee of Two Shillings, and no more.

And be it further Enacted, by the Authority aforesaid, That the Justices and Barons respectively, in the severall Courts, shall make such Rules and Orders for the Justifying of such Bails, and making the same Absolute, as to them shall seem meet; so as the Cognizor or Cognizors of such Bail or Bails be not Compelled to Appear in person in any of the said Courts, to Justifie him or themselves; but the same may, and is hereby Directed to be Determined by Affidavit or Affidavits Duely taken before the said Commissioners, who are hereby Impowered and Required to take the same; And also to Examine the Sureties upon Oath, touching the Value of their respective Estates, unless the Cognizor or Cognizors of such Bail, do Live within the City of Dublin, or within Ten Miles thereof.

And be it further Enacted, by the Authority aforesaid, That any Judge of Assize in his Circuit, shall, and may Take and Receive all and every such Recognizance and Recognizances of Bail or Bails, as any person shall be Willing and Desirous, to make and Acknowledge before him; which being Transmitted in like manner, as aforesaid, shall without Oath be Received in manner, as aforesaid, upon Payment of the Usual Fees.

And be it further Enacted, by the Authority aforesaid,

aforesaid, That any Person or Persons who shall before any Person or Persons Impowered, by Vertue of this Act, as aforesaid, to take Bail or Bails, Represent or Personate any other Person or Persons, whereby the Person or Persons so Represented and Personated, may be lyable to the Payment of any Summ or Summs of Money, for Debt or Damages, to be Recovered in the same Sute or Action wherein such Person or Persons are Represented and Personated, as if they had Really Acknowledged and Entred into the same, being Lawfully Convicted thereof, shall be Adjudget, Esteemed, and Taken to be Felons, and suffer the Pains of Death; And Incur such Forfeitures and Penalties as Felons, in other Cases Convicted or Attainted, do by the Law of this Realm Lose and Forfeit.

An Act for Granting Tales on Tryals, to be had in the Court of the County Palatine of Tipperary, before the Seneschal.

C H A P. XIX.

WHEREAS it has been found by Experience, that the Non-Apperance of Jurors hath been a Great Delay to the doing Justice, and by Consequence very prejudicial to His Majesty's Subjects. For the Remedy whereof, in Cases to be Tried by Nisi prius,

prius, a Good Law hath been Enacted in this Kingdom in the Tenth Year of the Reign of Charles the First, Late King of England, &c. And Intituled, An Act concerning the Appearance of Jurors in the *Nisi prius*. And Whereas all Tryals in the County Palatine Court of Tipperary are had at the Bar of the said Court, and can only be Tryed by Jurors Returned in the Venire, which hath been found to be very Grievous to all such Persons as have Right to Demand, or Recover any Lands, Tenements or Hereditaments, or other thing whatsoever within the said County Palatine. For Remedy whereof,

Be it Enacted by the King's Most Excellent Majesty, with the Assent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same, That on all Tryals hereafter to be had in any Cause whatsoever in the said Court of the said County Palatine, to be held before the Seneschal thereof, upon the Jurors Non-Appearance, it shall and may be Lawful for either Party, Plaintiff or Defendant, to Demand a Tales de Circumstantibus, which shall be granted by the Court, and Returned by the proper Officer and Officers in such Manner and Form: And to such Effect and Purpose as by the said Statute, made the Tenth Year of the Reign of the Late King CHARLES the First, Intituled, An Act concerning the Appearance of Jurors in the *Nisi prius*, is Provided upon Tryals of *Nisi prius*: And that all Tryals so had shall for ever hereafter be Adjudged,

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Construed, and taken to be Valid and sufficient in Law, Notwithstanding any Exception that may or shall be taken, by Reason such Tryal or Tryals Was or Were had by Person or Persons Returned upon the Tales, as aforesaid.

An Act Concerning Fines in the County Palatine of Tipperary.

CHAP. XX.

WHEREAS it is for the Common Good and Advantage of the Publick, that the Estates of Purchasers for Valuable Considerations should be Secured unto them, towards which, nothing has conduced more then Fines Levied in Due Form of Law. And Whereas some doubt may arise concerning the Validity of Fines Levied in the County Palatine Court of Tipperary, according to the Custom and Usage thereof, whereby the Estates of several of His Majesty's Subjects who have been, and may hereafter be Purchasers of Lands, Tenements, and Hereditaments, being within the Jurisdiction of the said Palatinate, may to their great prejudice be called in Question. For Remedy whereof,

Be it Enacted by Your Most Excellent Majesty, by and With the Advice of the Lords Spiritual and Temporal, and Commons in this present

present Parliament Assembled, and by the Authority of the same, That all and singular the Fines heretofore Levied in the Court of the said County Palatine, shall be of the same Force and Efficacy in Law as Fines with Proclamations Levied before his Majesty's Justices of the Common-Pleas in this Kingdom, and that all and singular Fines, which at any time hereafter shall be Levied or acknowledged in any Term before the Judge or Judges in the said County Palatine of Tipperary, for the time being, of any Lands, Tenements, or other Hereditaments, Lying, or being within the said County Palatine, which shall be openly Read and Proclaimed in the open Court, in the presence of the Judge or Judges, in the Term held for the said Palatinate, being the same Term that the same shall fortune to be Ingrossed; And also that shall be openly Read and Proclaimed in the presence of the Judge or Judges of the said County Palatine of Tipperary, or one of them, for the time being, at Two Terms that shall be holden in the said County Palatine of Tipperary, before the Judge or Judges of the same, or any one of them next after the Levying and Ingrossing of such said Fine, shall be of like, and of the same Force, Strength, and Effect in the Law, to all Intents, Constructions and Purposes, as Fines being duly Levied with Proclamations before the King's Judges of his Common-Pleas, at Dublin, be, or ought to be.

F I N I S,

The first of these is the fact that the
 Government has not yet decided whether
 it will accept the offer of the
 Government of the United States to
 purchase the land. The second is the
 fact that the Government has not yet
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 fact that the Government has not yet
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 of the Government of the United States
 to purchase the land.

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An Act for the better Suppressing Tories, Robbers
and Rapparees ; and for preventing Robberies,
Burglaries, and other hainous Crimes.

C H A P. XXI.

FOrasmuch as by the late Rebellion in this
Kingdom, a great part thereof hath been
left Waste and Desolate ; and the frequent
Robberies, Murders, and other Notorious Felo-
nies Committed by Robbers, Rapparees and To-
ries, upon their Keeping, hath greatly Discoura-
ged the Re-planting of this Kingdom, the Papi-
st Inhabitants thereof, chusing rather to suffer
Strangers to be Robbed and Despoiled of their
Goods, then to Apprehend or Conbit the Offenders,
of Whom the greatest part are people of the same
Country ; and Countenanced, Harboured, and
Concealed by the Inhabitants thereof. For the
Remedy of which Mischiefs, and for the better
Encouragement of Strangers to Plant and In-
habit this Your Majesty's Kingdom of Ireland,
and for the general Preservation of Peace and Pro-
perty of Your Majesty's Good Subjects therein.

May it please Your Majesty that it may be
Enacted ; And be it Enacted by the King's Most
Excellent Majesty, by, and with the Consent of
the Lords Spiritual and Temporal, and Com-
mons in this present Parliament Assembled, and
by the Authority of the same, That the Inhabi-
tants of every Barony or County, within this
Kingdom, shall make full satisfaction and amends
for all Robberies, Burglaries, Burning of Houses,
or Haggards of Corn, Killing or Maiming of
A Cattle,

Cattle, which shall be Committed or Done by Robbers, Rapparees, or Tories, within such Barony or County, from and after the Royal Assent given to this Bill, in manner and form following (That is to say) where all or any of the Facts shall be Committed or Done by Rapparees, Robbers or Tories, as aforesaid, that are, or shall be Papists, or Reputed of the Popish Religion, the Popish Inhabitants of the Barony or County wherein all or any of the said Facts shall be Committed, shall make satisfaction and amends for the same: And where all or any of the said Facts shall be Committed or Done by Robbers, Rapparees or Tories, as aforesaid, that are, or shall be Protestants, or Reputed to be of the Protestant Religion, the Protestant Inhabitants of the Barony or County, wherein all, or any of the said Facts shall be Committed, shall make satisfaction and amends for the same. And if it shall happen, that all, or any of the said Facts be Committed or Done by Popish and Protestant Robbers, Rapparees or Tories, as aforesaid, then, and in such Case, the Popish and Protestant Inhabitants of the Barony or County wherein such Facts shall be Committed or Done, shall make satisfaction and amends for the same; and in such proportion, and according to the Number of such Papists and Protestants as shall Commit the same (that is to say) if two Papists and one Protestant, the Papist Inhabitants to pay two shares, and the Protestants the remaining third part of the said Damages; And so pro rata, in Case of a greater or lesser Number. And if all, or any of the said Facts be Committed or Done in the Division, or Hearing of two Baronies, or two Counties, so as it shall be uncertain

tain in which County or Barony the Fact or Facts were Committed; then, and in such Case, the Inhabitants of the both Baronies; or both Counties, shall make satisfaction and amends for the same, in such manner, and under such Distinction as is hereby Declared.

And be it further Enacted, by the Authority aforesaid, That in all Cases where the Damages do not Exceed the Summ of Ten pounds, Sterling, the Inhabitants of the Barony and Franchizes within the Districts thereof, wherein all, or any of the said Facts shall be Committed, and not the County at Large, shall make satisfaction and amends for the same, in such manner, and with such Distinction, as aforesaid; And in all Cases where the Damages do exceed the Summ of Ten pounds, Sterl. the Inhabitants of the County, wherein all or any of the said Facts shall be Committed, shall make satisfaction and amends for the same, in the manner, and with the Distinction aforesaid: And that the Jury that shall Try any Action Committed or Prosecuted on this Act, shall in their Verdict Ascertain the person and persons that commit such Robbery, Burning of Houses, or Haggards of Corn, Killing, or Damning of Cattle, whether they were Papist or Protestants, and the Number of the one, and the other, as also the Damages, according to the Evidence that shall be on the Tryal offered to them.

And be it further Enacted by the Authority aforesaid, That every person and persons, so as aforesaid, Robbed or Damned, may be hereby Enabled to Sue for and Recover his or their Damages against any Inhabitant of the said County or Barony, who by this Act shall be made

made liable to answer any part thereof; and that immediately after such Recovery and Execution against the said Inhabitants, all other the Inhabitants of the said Barony or County, who by this Act shall be made lyable to all or any part of the said Damages, shall be Ratably and proportionably Taxed, for, and towards an Equal Contribution for the Relief of such Inhabitant against whom the said Recovery and Execution is had; which Tax, shall be Made, Levied and Raised by such Ways and Means, and in such Manner and Form as is prescribed and mentioned in a former Statute, Intituled, An Act for the following of Hue and Cry, made in the Tenth and Eleventh Years of the Reign of King Charles the first, in this Kingdom.

And be it further Enacted by the Authority aforesaid, That no person or persons shall Recover any Damages by Vertue of this Act, unless he or they by themselves, or by their Servants within twenty four hours after such Robbery or Injury done him or them, by any Robbers, Thieves or Rapprars, or within reasonable time after he shall be at Liberty, shall give Notice of such Robbery or Dischiefs done and Committed, unto some of the Inhabitants of some Town, Village, or Hamlet, near unto the place where any such Fact shall be Committed, and shall within four Days after such Notice, give in his, her, or their Examination upon Oath, or of their Servant or Servants that were in his, or their House, or that had the Care of his Corn, Stock or Goods, before some Justice of the Peace of the County where such Fact shall be Committed, Inhabiting within the Barony where the said Fact shall hereafter happen to be Committed, or near unto the
same

same, whether he or they do know the Person or Persons that Committed such Fact, or any of them, and if upon such Examination it be Confessed that he or they do know the person or persons that Committed the said Fact, or any of them, that then he or they so Confessing, shall be bound by Recognizances to prosecute such Offender or Offenders, by Indictment, or otherwise, according to the Laws of this Kingdom.

And moreover, be it Enacted by the Authority aforesaid, That before any Action shall be Commenced or Prosecuted on this Act, for recovery of Damages for any Losses sustained, by reason of any Robbery, Burning of Houses, or Corn, or Destruction of Cattle, Contrary to the Tenour of this Act, the Person or Persons so Injured, shall obtain or procure a Presentment to be made at the next Assizes or Quarter-Sessions, to be held after such Robbery, Injury, or Fact Committed, by the Grand Jury of the County where such Fact shall be Committed, wherein Notice shall be taken of such Robbery, or other Injuries or Mischiefs, and of the Losses Sustained, the Number of the Offenders, and how many of them are Papists, or Reputed such, and how many Protestants or Reputed such; As also of the Barony or Baronies and County where such Fact was Committed; With the Names of the Offenders: But in Case where the Person or Persons Robbed, Burnt, or Injured, or their Servant or Servants do not know the Names of all or any of the Offenders, and shall Declare so on their Oath openly in Court, being Examined to the said particulars, the said Grand Jury in such Presentment to give the best Description they can on the Evidence produced before them of such Malefactors, to the End they may be brought the

speedier to Justice: which Presentment shall be given in Evidence by the Person and Persons that shall obtain the same, on any Tryal for Damages for his Losses Sustained, according to the purport of this Act.

And for the better Suppressing Robbers, Tories and Rapparees, that have so much of late Disturbed the Peace and Settlement of this Kingdom,

Be it Enacted by the Authority aforesaid, That if any person or persons shall be at any time hereafter presented at the Assizes or Quarter-Sessions by the Grand-Jury, as a Tory, Rapparee or Robber, out on his Keeping, and such Presentment being returned to the Clerk of the Council, the person and persons in such Presentment named, shall by Proclamation from the Lord Deputy, or other Chief Governor or Governors and Council of this Kingdom be Proclaimed; and in case such person or persons so Proclaimed; do not within the time to be limited by such Proclamation, render him or themselves to some one or more Justices of the Peace of the County, where such Presentment shall be made, he and they so Presented and Proclaimed, shall from thenceforth be convict of High-Treason and suffer accordingly. And that all and every person and persons Concealing, Aiding, Abetting and Succouring such person and persons, so Presented and Proclaimed, knowingly, from and after the time so limited by such Proclamation, shall be guilty of Felony without Clergy, and Suffer as Felons, convict of Felony without Clergy. And for the better Encouragement of such persons as shall Take and convict, or Kill any Robber, Rapparee or Tory in Arms, and upon his Keeping, Indicted, Proclaimed or Presented, as aforesaid, the Justices of Assize in their Circuit, and the Ju-
stices

Justices of Peace in their Quarter-Sessions, Respectively, With the Assent of the Grand-Jury, shall have power and Authority to Tax and Sell every Inhabitant in any County, Barony, City, Burrough, Town or Parish within the Limits of their Commissions and Authorities, to such Reasonable Aid or Summ of Money as they shall think fit in their Discretion, Convenient and Sufficient for Encouraging and Rewarding such Person or Persons, as shall take and Convict, or Kill any Robber, Rapparee or Tory in Arms, and upon his Keeping.

Provided such Summs do not Exceed Twenty pounds for any one Tory, which said summ or summs of Money, so to be Raised, shall be Apportioned and Appointed by the said Grand-Jury, and Levied by such Collectors as they shall appoint, who shall have Power and Authority to Receive the said Summs of Money, and to Distrain every such Inhabitant as shall be Taxed and refuse payment thereof; and to Sell such Distress, and deliver the Money Taxed to such Person or Persons as shall take or Kill such Robber, Rapparee or Tory; and the Residue, if the Distress be better, to deliver to the Owner thereof. This Act to Continue and be of Force for three Years from the Royal Assent being given thereto; and to the End of the first Session of the next Parliament after the said three Years, and no longer.

FINIS.

1

An Act for the more Speedy and Effectual Proceed-
ing upon Distresses and Avowries for Rent.

C A A P XXII.

FORASMUCH as the Ordinary Remedy
for Arrearages of Rents is by Distress
upon the Lands Chargeable therewith;
and yet Nevertheless by reason of the In-
tricate and Dillatory proceedings upon Replevin, that
Remedy is become Ineffectual. For Remedy whereof.

Be it Enacted by the King's Most Excellent
Majesty, with the Advice and Consent of the Lords
Spiritual and Temporal, and Commons in this
present Parliament Assembled, and by Authority
of the same, That whenever any Plaintiff in Re-
plevin shall be Nonsuite before Issue Joyned in any
Suite in Replevin, by Plaint or Writ Lawfully Re-
turned, Removed, or Depending in any of his Ma-
jesty's Courts at Dublin, or any Courts Palatine,
or other Courts of Record within this Kingdom,
That the Defendant, Abowant making a Sugge-
stion in Nature of an Abowry or Connuzance for
such Rent, to Ascertain the Court of the Cause of
Distress, the Court upon his Prayer shall Award
a Writ to the Sheriff of the County where the Di-
stress was taken, to Inquire by the Oaths of
Twelve Good and Lawful Men of the Bailiwick,
touching the Summ in Arrear at the time of such
Distress taken, and the value of the Goods or Cattle
Distrained, and thereupon Notice of Fifteen Days
shall be given to the Plaintiff, or his Attorney
in Court, of the Sitting of such Inquiry, and
thereupon

A

thereupon

thereupon the Sheriff shall Inquire of the Truth of the matter Contained in such Writ, by the Oaths of Twelve Good and Lawful Men of his County; and upon the Return of such Inquisition the Defendant shall have Judgment to Recover against the Plaintiff the Arrearages of such Rent, in Case the Goods or Cattle Distrained shall amount unto the Value; and in Case they shall not amount to that Value, then so much as the Value of the said Goods and Cattle so Distrained shall amount unto, together with his full Costs of Sute, and shall have Execution thereupon by Fieri facias, or Elegit, or otherwise, as the Law shall Require: And in Case such Plaintiff shall be Non suite, after Connuzance or Abowry made, and Issue Joyned, or if the Verdict shall be given against such Plaintiff, then the Jurors that are Impanelled or Returned to Inquire of such Issue shall at the Prayer of the Defendant Inquire concerning the Summ of the Arrears, and the Value of the Goods or Cattle Distrained; And thereupon the Abowant, or he that makes Cognizance shall have Judgment for such Arrearages, or so much thereof as the Goods or Cattle Distrained amount unto, together with full Costs; and shall have Execution for the same by Fieri facias, or Elegit, or otherwise, as the Law shall Require.

And be it further Enacted, by the Authority aforesaid, That if Judgment in any of the Courts aforesaid, be given upon Demurrer for the Abowant, or him that makes Cognizance for any Rent, the Court shall at the Prayer of the Defendant Award a Writ to Inquire of the Value of such Distress, and upon the Return thereof Judgment shall be given for the Abowant, or him

him that makes Cognizance, as aforesaid; For the Arrears Alledged to be behind in such Abowry or Cognizance if the Goods or Cattle so Distrained shall amount to the Value; And in Case they shall not amount to that Value, then for so much as the said Goods or Cattle so Distrained amount unto, together with his full Costs of Sute, and shall have like Execution as aforesaid.

Provided alway, and be it Enacted, That in all Cases aforesaid, where the Value of the Cattle Distrained, as aforesaid, shall not be found to be to the Value of the Arrears Distrained for, that the Party to Whom such Arrears were Due, his Executors or Administrators may from time to time Distrain again for the Residue of the said Arrears.

And Whereas no Sheaves or Cocks of Corn, Woolle, or in the Straw, or Hay, in any Barn or Grainary, or in any Hobell, Stack or Rick can by the Law be Distrained, or otherwise secured for Rent, whereby Landlords are oftentimes Deceived by their Tenants, who Sell their Corn, Grain and Hay to Strangers, and Remove the same from the premises Chargable with such Rent, and thereby avoid the payment of the same.

Be it further Enacted by the Authority aforesaid, That for Remedying the said Practice and Deceit, it shall and may from henceforth be Lawful to and for any Person or Persons, having Rent Arrear and Due upon any Demise, Lease, or Contract, to Seize and Secure any Sheaves or Cocks of Corn, or Corn Woolle, or in the Straw, or Hay, lying or being in any Barn or Grainary, or upon any Hobell, Stack or Rick, or otherwise upon any part of the Land or Ground Charged with such Rent and to Lock up, or Distrain the same in the place where the same shall be found, for, or in the Nature of a Distress, untill the same shall be Replevied

plebied upon good Security to be given to the Sheriff, as aforesaid, And in Case such Distress shall not be Replebied or owned within the space of Eight Days next after the taking thereof, then the same to be Appraised and Sold according to the Laws and Customs of this Kingdom.

Provided Nevertheless that such Corn, Grain, or Hay so Distrained, as aforesaid, be not Removed by the Person or Persons Distraining to the Damage of the Owner thereof, out of the place where the same shall be found and Seized, but be kept there as Impounded, untill the same shall be Replebied or Sold, as aforesaid, And in Case any Replevin shall be brought for such Sheaf or Sheaves of Corn or Grain, or Hay, if the Plaintiff in such Replevin shall be Nonsute, either before or after Appearance, or a Verdict pass against him, or Judgment be given against him, upon Demurrer, as aforesaid, in all such Cases such Proceedings to be by Inquisition or Fining of the Jury at the Bar upon like Suggestion to be made in the Conuzance or Abowry, and like Execution in such Cases to be Awarded.

And be it further Enacted, by the Authority aforesaid, That upon any Pound, Breach, or of Goods and Chattles Distrained for Rent, the Person or Persons grieved thereby shall in a Special Action upon the Case for the Wrong thereby Sustained Recover his and their Treble Damages and Costs of Sute against the Offender or Offenders in any such Rescue or Pound, Breach, any, or any of them, or against the Owners of the Goods Distrained in Case the same be afterwards found to have come to his Use or Possession.

FINIS.

A N
A C T

For the better Regulating of
MEASURES
In and Throughout this
Kingdom.



DUBLIN,
Printed by *Andrew Crook*, Printer to the Kings
Most Excellent Majesty, on *Ormonde-Key*, 1695.

A N

A C T

for the better Regulation of
MEASURES
in and Throughout the
Kingdom.



DUBLIN.
Printed by Andrew Grogan, Printer to the King.
Moffet & Co. Stationers, on O'Connell-Row, 1825.

An Act for the better Regulating of Measures in
and throughout this Kingdom.

FOR prevention of the many and Great
Inconveniencies and Discouragements to
Trade in this Kingdom, which proceed
from the want of one Certain and Known
Measure for all sorts of Grain to be Measured
and Sold by, in and throughout this King-
dom.

Be it therefore Enacted by the King's Most
Excellent Majesty, by and with the Advice and
Consent of the Lords Spiritual and Temporal,
and Commons in this present Parliament Assem-
bled, and by the Authority of the same, That
one and the same Measure shall be Used in and
throughout this Kingdom, and Every part
thereof: And that the Measure and Measures
to be henceforth Used in this Kingdom shall be
and Contain as herein after is mentioned and
Appointed, and no otherwise (that is to say)
The Measure Called the Peck shall be and Con-
tain Two Gallons, and no more. The Mea-
sure Called the Bushell shall be and Contain
Eight Gallons, and no more. The Measure
Called the Half Barrel shall be and Contain
Sixteen Gallons, and no more. And the Bar-
rel shall be and Contain Thirty Two Gallons,
and no more. The said Gallon to Contain Two
hundred Sixty Two Cubical Inches, and
one fourth part of a Cubical Inch, according to
the

the Gallon mentioned and Appointed in and by one Act of Parliament, made and Enacted in this Kingdom, in the Twelfth Year of the Reign of the Late Queen ELIZABETH, of Blessed Memory.

And be it also Enacted, that there shall be forthwith provided, at his Majesties Charge, one Barrell, one half Barrell, one Bushel, one Peck, and one Gallon, according to the above said Measure; which said Barrell, half Barrell, Bushel, Peck and Gallon shall be the Standards for the Measures in and throughout this Kingdom of IRELAND; And that the said Standards being marked with the Crown, and Letters of his Majesties Name, shall be placed, and safely kept in his Majesties Exchequer of this Kingdom, in the Custody of the Lord Treasurer of this Realm, or of the Vice-Treasurer, his Deputy or Deputies for the time being.

And be it further Enacted, That in Every County, Town, City, Liberty, Franchise, and Market-Town within this Realm, shall be placed and kept at the proper Costs and Charges of Each County, City, Liberty, Franchise, and Market-Town, Respectively, in the Custody of the Sheriff of such County, and of the Mayor, Bayliff, Sovereign, Seneschal, or Steward of any Liberty, or Manor, or other Chief Magistrate Residing in such City, or Market-Town, one Barrell, one half Barrell, one Bushel, one Peck, and one Gallon, according to the above Measures; which said Barrell, half Barrell, Bushel, Peck and Gallon shall be first Measured by the said Standards in the Exchequer, and

and shall be feberally Sealed, Branded or Marked on the Edge or Brim, with the Crown and Letters of his Majesties Name, and with such other Mark as the Lord High Treasurer, of this Kingdom, or the Vice-Treasurer, his Deputy or Deputies, for the time being, shall think fit; and that for the Measuring, Branding and Marking of Each such Measures the sum of Six-pence, and no more, shall be paid to the said Lord High-Treasurer, nor the Vice-Treasurer, his Deputy or Deputies, for the time being, by the Person or Persons who shall bring the said Measures to be Measured, Branded or Marked; which said Barrels, half Barrels, Bushels, Pecks and Gallons, in the Custody of the said Sheriffs, Mayors, Bayliffs, Sovereigns, Seneschals, or Stewards of any Liberty, or Manor, or other head-Officers, being Measured or Marked by the said Lord High Treasurer, or the Vice-Treasurer, his Deputy or Deputies, for the time being, shall be and remain the Standards for such County, City, Liberty or Franchise, or Market-Town, respectively.

And be it further Enacted, That the said Sheriffs, Mayors, Bayliffs, Sovereigns, Seneschals, or Steward of any Liberty, or Manor, and other Officers, in whose Custody such Standards are hereby Appointed to remain, shall have full power to Measure and Compare all such Barrels, half Barrels, Bushels, Pecks and Gallons, as shall be brought, or offered to them, or any of them to be Measured or Marked; And if upon Measuring the same, they or any of them shall find the said Measures to

brought or offered, Respectively, to be agreeable to, and to Contain Equal Quantities With the said Measures Marked by the said Lord High-Treasurer, or Vice-Treasurer, his said Deputy or Deputies, for the time being, That then the said Sheriffs, Mayors, Bayliffs, Sovereigns, Seneschall, Steward, or other Chief Officers, or any of them, shall Mark, or Brand the said Measures so brought to them on the Rim or Edge of them, Respectively, with the Crown and Letters of his Majesties Name; and also with a Mark or Brand to be appointed by each County, City, Liberty or Franchise, or Market-Town, Respectively: And that for the Measuring and Marking of Each such Measure, shall be paid by the Person or Persons bringing or offering the said Measure or Measures to be Sealed or Marked, the Sum of Six-pence, and no more.

And be it further Enacted by the Authority aforesaid, That from and after the Twenty Sixth Day of March, which will be in the Year of Our Lord, One Thousand, Six Hundred, Ninety Six, no Measures shall be Used for Measuring any sort of Grain in this Kingdom, or in any part thereof, but such as shall be first Measured and Compared by the said Standards in the Exchequer, or by one of the said Standards Remaining in the Custody of such as hereby are Appointed to have the Custody of them in the Respective Counties, Cities, Liberties, Franchises, and Market-Towns within this Kingdom, and shall be Branded and Marked, as aforesaid: And that whosoever after the said Twenty Sixth Day of March next, shall Sell or Measure any sort of Grain, Corn, Mault, or Oat-Meal, in any place or places whatsoever within

Within this Kingdom, by any Measure or Measures Containing any Greater or Lesser Quantity then as aforesaid, or by any Barrel, half Barrel, Bushel, Peck or Gallon which hath not been Measured by, and is not of Equal Content with the said Standard in the Exchequer, or by, and with the said Standards Remaining in the said Counties, Towns, Cities, Liberties, Franchises, or Market-Towns, or some of them, or that hath not been Marked, as aforesaid, by some one in whose Custody the said Standards are by this Act Appointed to Remain, shall forfeit for Every such Offence the Summ of Ten Pounds; Whereof the one Porty shall be to the Poor of the Parish where such Offence is, or shall be, Committed: and the other Porty to the Informer, and that upon Information given upon Oath, or other wise, to any Justice of the Peace of any County, Mayor, Bayliff, Sovereign, or other Chief Magistrate of any City, Liberty, or Franchise, or Town Corporate, the said Seneschal, Justice of the Peace, Franchise, Mayors, Bayliffs, Sovereign, Seneschal, aforesaid, or other Chief Magistrate to whom such Information is Given, shall immediately Issue his Warrant, Requiring the Party or Parties Complained of to appear before him: And if upon Examination it shall appear by the Oath or Oaths of one or more Credible Witnesses to the said Justice of Peace, Mayor, Bayliff, Sovereign, Seneschal, aforesaid, or other Chief Magistrate, that the said Party so Complained of, hath Sold, Delivered, or Received any Sort of Corn, Grain, Vault, or Malt, by any Barrel, half Barrel, or other Measure

not Marked, Sealed, or Branded by the Sheriff, Mayor, Sovereign, Senechal, or some other person who hereby have power, and are Appointed to make Seal, or Brand the same, That then the said Justice, Mayor, Bayliffs, Sovereign, or other Chief Magistrate within his and their Respective Precincts, shall Issue a Warrant to the Constable of the Parish where such Offender resides, Requiring him to Levy by Distress and Sale of the Goods of the Person so Offending the said sum of Ten pounds, whereof the one moiety shall be given to the Poor of the Parish as aforesaid, where such Offender doth reside, and the other moiety to the said Informer. And be it further Enacted, by the Authority aforesaid, That if any Person, who hereby hath power to Measure and Mark any Barrel, half Barrel, or other Measure brought to him, shall Mark, Seal, Brand, or allow any Barrel, half Barrel, or any other Measure which shall doth Contain more or less, Respectively, then the said Standards Remaining in his Custody, the said Person so Doing shall Forfeit for Every such Barrel, half Barrel, or other Measure so Sealed, Marked, Branded or Allowed by him, the sum of Fifty pounds, The one Moiety to the King, and the other Moiety to the Use of him that will sue for the same, to be Recovered by Action, Suite, Bill or Plaint, in any of his Majesty's Courts of Record, at Dublin, wherein no Cloyne, Protection, or Delay of Law shall be Allowed, nor any more then one Imparlance, And be it likewise Enacted, That Every Barrel, half Barrel, and other Measure whatsoever

of

of any sort of Corn, Grain, Hault, or Oat-
Meal shall be Sold, Delivered and Received,
Stricked without Heaps, and without Pressing
or Making Down : And not in any other
manner, upon pain of the Forfeiture of Five
Pounds to him that will Sue for the same, to
be Recovered by Action, Suite, Bill, or Plaint,
in any of his Majesties Courts at Dublin,
wherein no Esloyn, Protection, or Wager of
Law shall be Allowed, or any more then one
Imparlance.

FINIS.

of any sort of Corn, Wheat, Oats or Barley
shall be sold, Bartered and otherwise
disposed of without licence and without bringing
of licence down: And not in any other
manner, upon pain of the forfeiture of five
pounds to him that shall sell for the same, to
be recovered by Action, Summons, or Judgment
in any of his Majesty's Courts at Dublin
against the Defaulters, or either of
them that be offenders, or any more than one
jointly.

FINIS

An Act for the prevention of Vexations and Oppressions by Arrests; And of Delays in Sutes of Law.

CHAP. XXV.

Whereas by the Laws of this Kingdom, in Case where any Person is Sued, Impleaded or Arrested by any Writ, Bill or Process Issuing out of any of his Majesty's Courts of Record, at Dublin, in any Common Plea, at the Sute of any Common Person, The True Cause of Action ought to be set forth and Expressed in such Writ, Bill or Process, whereby the Defendant may have certain Knowledge of the Cause of the Sute; and the Officer who shall Execute such Writ, Bill or Process, may know how to take Security for the Appearance of the Defendant to the same, and the Sureties for such Appearance may rightly understand for what Cause they become Engaged.

And whereas there is a great Complaint of the People of this Kingdom, that for Divers Years last past, very many of his Majesty's Good Subjects have been Arrested upon General Writs of Trespass, Quare Clausum Fregit, or other like Writs Issued out of the Courts of Kings-Bench, and Common-Pleas, not Expressing any Particular or Certain Cause of Action; and thereupon kept Prisoners for a long time for want of Bail, Bonds, with Sureties for Appearances, having been Demanded in so great

A Summs,

Summs, that few or none have Dared to be Security for the Appearance of such Persons so Arrested and Imprisoned; altho' in Truth there hath been little or no Cause of Action, and oftentimes there are no such Persons who are Named Plaintiffs; but those Arrests have been many times procured by Malicious Persons to Use and Oppress the Defendants, and to force from them Unreasonable and Unjust Compositions for Obtaining their Liberty; and by such Evil Practices many Men have been, and are Daily Undone, and Destroyed in their Estates, without Possibility of having Reparation, the Actors Employed in such Practices having been (for the most part) Poor and Lurking Persons, and their Actings Secret, that it hath been found very Difficult to make True Discoveries on proof thereof.

For Remedy and prevention of which so great growing Evils and Mischiefs; And also for Discouraging all Frivolous and Unjust Sutes and Causeless Arrests for the future.

Be it Enacted by the King's Most Excellent Majesty, by and With the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same, That from and after the Twelfth Day of December next, no Person or Persons who shall happen to be Arrested by any Sheriff, Under-Sheriff, Coroner, Steward or Bayliff of any Franchise or Liberty, or by any other Officer, Minister, Under-Bayliff, or any other Person or Persons whatsoever within this Realm, having or pretending to have Authority or Warrant in that behalf, by force

or

or Colour of any Writ, Bill, or Process, Issuing, or to be Issuing out of his Majesty's said Court of King's-Bench and Common-Pleas, or either of them, or other Court of Justice, in which said Writ, Bill, or Process, or at the Foot thereof, the Certainty or true Cause of Action is not Expressed, Marked, or Set down particularly; and for which the Defendant or Defendants in such Writ, Bill, or Process Named, is, and are Bailable by the Statute in that behalf, made in the Thre and Twentieth year of the Reign of the Late King Henry the Sixth, shall be forced or Compelled to give Security, or to Enter into Bond with Sureties for the Appearances of such person or persons so Arrested, at the day and place in the said Writ, Bill or Process, on the Foot thereof Specified or Contained in any Penalty or Summ of Money exceeding the Summ of Forty Pounds of Lawful Money of England, to be Conditioned for such Appearances. And that all Sheriffs and other Officers and Ministers aforesaid, shall let to Bail, and Deliver out of Prison, and from their, and every of their Custodies, respectively, all and every person or persons whatsoever, by them, or any of them Arrested upon any such Writ, Bill, or Process, wherein the certainty and true Cause of Action, is not particularly Expressed, as aforesaid, upon Security in the summ of Forty pounds, and no more, given for Appearance of such person or persons so Arrested, unto the said Sheriff or Officer aforesaid, according to the said Statute in the said Thre and Twentieth year of the Reign of the said King Henry the Sixth, in that behalf made and provided.

And

And be it further Enacted by the Authority
aforesaid, That upon Appearance to be Entred
in the Term wherein such Writ, Bill, or Pro-
cess, is Returnable with the respective Officer
in that behalf, for the said person or persons,
by Attorney or Attorneys, in the said respective
Courts, from whence the said Writ, Bill, or
Process Issued into such Writ, Bill, or Process,
the Bond or Bonds so given for Appearance
thereunto, be, and are hereby Satisfied and Dis-
charged; And that after such Appearance so
Entred, no Amercement be Set or Extreated
upon, or against any Sheriff, or other Officer
aforesaid; or any other person whatsoever, Con-
cerning the Want of such Appearance: And
unless the Plaintiff or Plaintiffs in any such
Writ, Bill, or Process Named, shall put into
the Court from whence such Writ, Bill or Pro-
cess did Issue, his or their Bill, or De-
claration against the person or persons so Ar-
rested in some personal Action (Ejectione firme)
of Lands and Tenements, before the End of the
Term next following for Appearance, that then
a Non-sute for want of a Declaration, may be
Entred against the said Plaintiff or Plaintiffs in
the said Courts, respectively: And that every
Defendant in every such Writ, Bill or Process
Named, shall or may have Judgment to Reco-
ver Costs against every such Plaintiff or Plan-
tiffs, to be Assessed, Taxed, and Levied in such
manner, and according as it is provided by the
Statute for Costs made in the Thre and Twen-
tieth Year of the Reign of the Late King Henry
the Eighth, any former, or other Act, Statute,
Ordinance, Law, Custom, Order, Course or Use-
age

age of either of the said Courts, to the contrary thereof heretofore had, made, admitted, or used in any wise notwithstanding.

Provided always, That this Act, nor any Clause or Thing herein before Specified or Contained, shall not Extend, or be Construed or Taken to Extend unto any Arrests hereafter to be made upon, or by Vertue of any Writ of Capias Ut lagatum, Attachment upon Rescous, or Attachment upon any Contempt, or of any Attachment of Priviledge, at the Suite of any Priviledged person, or of any other Attachment for Contempt whatsoever, Issuing, or to be Issuing out of either of the said Courts, although there be no particular certainty of the Cause of Action Expressed or Contained in the said Writs, but that nevertheless no Sheriff or Under-Sheriff, nor any of the Officers or Ministers aforesaid, shall Discharge any person or persons taken upon any Writ of Capias Ut lagatum, out of Custody without a Lawful Superedeas, first had and Received for the same, and that upon the said Writs of Attachment such Lawful Course be taken for Security for Appearance therein, as hath been heretofore Used, any thing herein before Expressed to the contrary thereof in any wise notwithstanding.

And whereas many persons out of ill Intent to Delay their Creditors from Recovering their Just Debts, continue Prisoners, who cannot be proceeded against in such manner as they might be, if they were at Large. Now for the better Enabling all and every person or persons, to Recover their Just Debts and Demands against such Prisoners.

Be it further Enacted by the Authority aforesaid, That every person or persons whatsoever, who now hath, or have, or which at any time hereafter shall have Cause of any personal Action against any person, being a Prisoner in Prison, may Sue forth any Original Writ upon his or their Cause of Action: And that a Writ of Habeas Corpus be granted to every such person or persons being Plaintiff or Plaintiffs, desiring the same to be Directed to the Goaler, or Keeper of the same Prison, to have the Body of such Prisoners before any his Majesty's Justices of the Kings-Bench, or Common-Pleas, at some certain Day in any Term, to Answer the said Plaintiff or Plaintiffs, upon his or their said Cause of Action; And that if the said Plaintiff or Plaintiffs at the said Day, put into the said Court his or their Declaration, according to the said Original Writ against the said Prisoner, being present at the Bar, the said person shall be bound to appear in person, or to put in an Attorney to appear for him in the said Action, and unless the said Defendant plead upon a Rule given to be out at the Eight Days at the least, after such Appearance, Judgment by Nihil dicit may be Entred against such Defendants as Appearing in person, which shall be Good and Effectual in Law: And such Charge in Court by Declarations signified by Rule unto the Goaler or Keeper, shall be a Good Cause of Detention of such Prisoner in his Custody, from which he shall not be Discharged without a Lawful Superfedeas, or Rule of Court: And if the said Goaler or Keeper shall do otherwise, he shall be Responsible to the Court, and to the Party grieved

grieved for Damages, by Action upon the Case, to be brought against him for Discharging such Prisoner.

And whereas very many Sutes Commenced by Original Writs have been Protracted and long Delayed from Judgment and Execution; by Reason of the Necessity of having Fifteen Days, at the least, between the Days of the Teste, and the Days of the Return of Writs now Used in personal Actions, and also in Actions of Ejectione firme, for Lands and Tenements. For Remedy Whereof; and for the more Easy Exped'ing Tryals, and the better and more speedy Executing Judgments for the time to come.

Be it further Enacted, by the Authority aforesaid, That in all Actions of Debt, and all other personal Actions whatsoever; And also in Actions of Ejectione firme, for Lands or Tenements, now Depending, or which at any time hereafter shall be Depending in either of his Majesty's Courts aforesaid, after any Issue therein Joyned, to be Tryed by a Jury; and also after any Judgment had or obtained, or to be had or obtained in any the Courts aforesaid, in any such Action, as aforesaid, there shall not need to be Fifteen Days between the Teste and Day of Return of any Writ or Writs of Venire facias, Habeas Corpora Jurator, or Distringas Jurator, Writs of Fieri facias, or Writs of Capias ad Satisfaciendum, and that the Want of Fifteen Day between the Test Day, and the Day of the Return of any such Writ, shall not be, nor shall be Assigned, Taken, or Adjudged to be any Matter or Cause of Error; Any Law, Custom,

Dom, Statute, Course or Usage to the Contrary thereof, in any wise Notwithstanding.

Provided Nevertheless that this Act, nor any thing therein Contained shall not Extend, or be Construed to Extend to any Writ of Capias ad satisfaciend. Whereon a Writ of Exigent after Judgment is to be Awarded, nor to Capias ad satisfaciend. against the Defendant, in Order to make any Bail Lyable; but that the same Continue and be as if this Act had never been made.

And Whereas by an Act of Parliament made in this Kingdom in the Tenth Year of the Reign of our late Sovereign Lord King Charles the first of Blessed Memory, a very good Law was made for avoiding Unnecessary Delays of Execution, whereby it is Enacted, That no Execution shall be Stayed or Delayed upon or by any Writ of Error, or Superedeas thereupon, to be Sued for the Reversing of any Judgment to be given in any Action or Bill of Debt, upon any single Bond for Debt, or upon any Obligation, with Condition for payment of Money only, or upon any Action or Bill of Debt for Rent, or upon any Contract Sued in any of His Majesty's Courts of Record at Dublin; unless such person or persons in whose name or names such Writ of Error shall be brought with two sufficient Sureties, such as the Court wherein such Judgment is or shall be given shall allow of, shall first before such Stay made or Superedeas to be awarded, be bound to the party to whom any such Judgment was or should be given by Recognizance to be acknowledged in the same Court, in double the Sum adjudged, to be recovered by the said former Judgment,

Judgment, to prosecute the said Writ of Error with Effect, and also to satisfy and pay (if the said Judgment shall be affirmed) all and singular the Debts, Damages and Costs adjudged, or to be adjudged upon the former Judgment, and all Costs and Damages to be also awarded for the same delaying of Execution, which Law hath been found by experience to be very good and beneficial to the Common-wealth. And forasmuch as divers other Causes wherein the same Mischief by Delays and Staying of Execution by Writs of Error and Superfedeas thereupon are not provided for by the Statute in the several Actions hereafter Specified.

Be it further Enacted, That the said Recited Act be of Force in this Kingdon. And be it further Enacted and Ordained, by the Authority aforesaid, That from and after the Twentieth Day of December next no Execution shall be Stayed in any of His Majesty's Four Courts, or in the County Palatine of Tipperary, by any Writ or Writs of Error or Superfedeas thereupon, after any Verdict and Judgment thereupon obtained in any Action of Debt, or in any Action upon the Case, upon any Promise for the payment of Money, Actions Sur Trover, Actions of Covenant, Detinue and Trespass, unless such Recognizance, and in such manner as by the said Recited former Act is Directed, shall be first Acknowledged in the said Court where such Judgment is given.

And be it also Enacted by the Authority aforesaid, That if any Person or Persons after the said Day shall Sue or Prosecute any Writ or Writs of Error for the Reversal of any Judgment whatsoever given after any Verdict in
any

any the Courts aforesaid; and the said Judgment shall afterwards be affirmed, then every such Person or Persons shall pay unto the Defendant or Defendants in the said Writ or Writs of Error, his or their Double Costs, to be Assessed by the Court where such Writ of Error shall be Depending, for the Delaying of Execution.

Provided Nevertheless that this Act, nor any Thing therein Contained, shall not Extend to any Action Popular, nor unto any other Action which is, or hereafter shall be brought upon any Penal Law, or Statute, nor to any Indictment, Presentment, Inquisition, Information or Appeal, any thing herein before Expressed to the Contrary thereof notwithstanding.

F I N I S.

AN
ACT
For Banishing all
PAPISTS
Exercising any Ecclesiastical Jurisdiction,
AND ALL
REGULARS
OF THE
Popish Clergy
Out of this
KINGDOM.



DUBLIN:

Printed by *Andrew Crook*, Printer to the King's
Most Excellent Majesty, on *Cork-Hill*, near
Copper-Alley. MDCXCVII.

ACT

OF THE
P. A. P. I.

OF THE
P. A. P. I.

OF THE
P. A. P. I.

OF THE
P. A. P. I.



OF THE
P. A. P. I.

An ACT for Banishing
all *Papists* exercising any Eccle-
siastical Jurisdiction, and all Re-
gulars of the *Popish Clergy* out of
this Kingdom.

CHAP. XXVI.

WHEREAS, it is notoriously known,
That the late Rebellions in this King-
dom have been Contributed, Promoted
and Carried on by Popish Arch-Bi-
shops, Bishops, Jesuits, and other Ecclesiasti-
cal Persons of the Romish Clergy. And for-
asmuch as the Peace and Publick Safety of
this Kingdom is in Danger, by the great
number of the said Arch-Bishops, Bishops,
Jesuits, Friars, and other Regular Romish
Clergy, now residing here, and settling in Fra-
ternities and Societies, contrary to Law, and
to the great Impoverishing of many of His Ma-
jesty's Subjects of this Kingdom, who are
forced to maintain and support them; Which
said Romish Clergy do, not only endeavour to
withdraw His Majesty's Subjects from their
Obedience, but do daily stir up, and move Se-
dition, and Rebellion, to the great hazard of
the Ruine and Desolation of this Kingdom. For
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the prevention of all which Michiefs, his Majesty is Graciously Pleased that it be Enacted.

And be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by Authority of the same, That all Popish Arch-Bishops, Bishops, Vicars-General, Deans, Jesuits, Monks, Friars, and all other Regular Popish Clergy, and all Papists exercising any Ecclesiastical Jurisdiction, shall depart out of this Kingdom before the first day of May, which shall be in the Year of Our Lord, One thousand, Six hundred, Ninety eight: And if any of the said Ecclesiastical Persons, shall be at any time after the said first day of May, within this Kingdom, they, and every of them shall suffer Imprisonment, and remain in Prison, without Bail or Mainprize, till he or they shall be Transported beyond Seas, out of his Majesty's Dominions, Wherever his Majesty, his Heirs or Successors, or the Chief Governor or Governors of this Kingdom, for the time being, shall think fit: And if any person so Transported, shall return again into this Kingdom, they, and every of them, shall be Guilty of High-Treason; and every person so Offending, shall for his Offence, be adjudged a Traytor, and shall suffer, lose and forfeit as in Case of High-Treason.

And be it further Enacted by the Authority aforesaid, That all and every such Popish Arch-Bishops, Bishops, Deane, Vicars-General, Jesuits, Friars, and all other Popish Regular

Regular Clergy in this Kingdom, shall before the said first day of May, repair to the City of Dublin, Cork, Kingsale, Youghal, Waterford, Wexford, Gallway, or Carrickfergus, and there remain, until there shall be Conveniency of Shipping, for their Transportation into some Parts beyond Seas, and out of His Majesty's Dominions, every of them on their first coming into any of the said Cities and Towns, giving in their Names to the Mayor, or other Chief Magistrate, who is hereby required to Register the same, and return an Account thereof to the Clerk of the Council, within Ten days; and that the said Mayor, or other Chief Magistrate of each Town, and also the Collector and Surveyor of the Port, shall give their best Assistance in Transporting every such Popish Arch-Bishop, Bishop, and other Popish Regular Clergy man.

And be it further Enacted by the Authority aforesaid, That from and after the Twentieth day of December, which shall be in the Year of our Lord God, One thousand, Six hundred, and Ninety seven, no Popish Arch-Bishop, Bishop, Vicar General, Deane, nor any other Papist exercising any Ecclesiastical Jurisdiction, not Established by the Laws of this Kingdom, Jesuite, or Friar, shall come into this Kingdom, from any parts beyond the Seas, on pain of Twelve Months Imprisonment, and then to be Transported, in manner aforesaid: And if any such Romish Ecclesiastical Person, so Transported, shall again return into this Kingdom, he and they so offending, shall be Guilty of High-Treason, and Suffer accordingly.

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And

And be it further Enacted, That any person that shall from and after the said first day of May, knowingly harbour, relieve, conceal, or entertain any such Popish Arch-Bishop, Bishop, Vicar-General, Dean, Jesuits, Friar, or any other Papist exercising any Ecclesiastical Jurisdiction, not Established by the Laws of this Kingdom, or any Regular Popish Clergy-man, hereby required to depart out of this Kingdom, in manner aforesaid, or that from and after the said Twenty ninth day of December, One thousand Six hundred Ninety seven, shall come into this Kingdom, contrary to the Tenor of this Act, shall for the first Offence, forfeit the Summ of Twenty pounds; for the second Offence, double the said Summ, to be Levied in manner herein-after expressed: And if he shall Offend the Third time, to forfeit all his Lands and Tenements of Freehold or Inheritance, during his Life, and also all his Goods and Chattels; One Moiety whereof to his Majesty, his Heirs and Successors, the other Moiety, to such Person as shall Inform, so as such Moieties do not exceed the Summ of One hundred pounds, and the Surplus of what shall remain to his Majesty, his Heirs and Successors, the said Forfeiture for such third Offence, to be Recovered by Bill, Plaint, Information, or Action of Debt, in any his Majesty's Courts of Record at Dublin, or at the Assizes in the respective Counties.

And be it Enacted by the Authority aforesaid, That upon Information on Oath, to any Justice of Peace in his respective County, against any person or persons, that shall knowingly Entertain, Succour, Relieve or Conceal any such Popish

Popish Arch-bishop, Bishop, Jesuite, Frier, or other Ecclesiastical Popish person, contrary to the purport and meaning of this Act; the said Justice of the Peace, shall immediately Issue a Summons in Writing under his hand, thereby requiring the person and persons so Informed against, at a certain Day and Place within the said County, where such Offence shall be Committed, to appear before him, and some other Justice of the Peace of the said County, to Answer the said Matter laid to his, or their Charge; at which time and place the said Justices shall in presence of the person or persons Accused, or in Case of his or their Neglect to appear, being duly Summoned, proceed to the Examination of the said Matter; and if it shall appear to them, on Evidence upon Oath, that the person or persons so Complained of are Guilty, the said Justices shall by Warrant under their hands and Seals, Levy the aforesaid Forfeitures of Twenty pounds for the first Offence, and Forty pounds for the second Offence, of the Goods and Chattels of the person or persons Offending, by Distress, Sale, or otherwise, and dispose of one Moiety of such Forfeitures to the Informer or Informers, and the other Moiety to the Treasurer of the County, where such Offence shall be Committed, for the Use of the County; and for Default thereof, to Commit the person Offending to the County Goal, there to remain without Bail or Mainprize, until he or they shall pay the said Forfeitures and Penalties.

And be it further Enacted, That no person whatsoever, shall from and after the said Twenty Ninth Day of December, Bury any Dead in any

any suppress Monastery, Abby, or Convent, that is not made use of for Celebrating Divine Service, according to the Liturgy of the Church of Ireland, by the Law Established, or within the Precincts thereof, upon Pain of Forfeiting the Summ of Ten pounds; which said Summ of Ten pounds, shall, and may be Recovered from any Person or Persons, that shall be present at such Burial, and Offending contrary to the Tenor of this Act; which said Forfeitures, all and every Justices of the Peace, in his, and their respective Counties, are hereby Authorized, to hear and Determine in manner as herein before is mentioned and declared; one Moiety of which said last Forfeiture for Burying contrary to this Act, shall be by such Justice given unto the Informer, and the other Moiety to the Minister and Church-wardens of the Parish, where any such Offences shall be Committed, to be disposed of for the Use of the Parish.

Provided always, that if any person or persons shall think him, or themselves agrieved, by the Judgment and Determination of such Two Justices of the Peace, that the person and persons so agrieved, may Appeal from their Judgment and Determination, to the next Judges of Assize, or to the Justices of Peace, at the next General Quarter-Sessions, who are hereby Impowered to Examine the said Matter, and give such Relief therein, as to them shall seem meet.

And it is further Enacted, That all and every Justice of the Peace, shall from time to time Issue their Warrants for Apprehending, and Commitment of all Popish Arch-Bishops, Bishops, Jesuits, Priests and other Popish Ecclesiastical persons
whatsoever

Whatsoever that shall remain or Continue in this Kingdom, contrary to the Tenor and meaning of this Act: And for Suppressing all Monasteries, Frieries, Runeries, or other Popish Fraternities or Societies.

And be it further Enacted by the Authority aforesaid, That all and every the Justices of the Peace in this Kingdom, shall give an accompt in Writing, of their proceedings in Execution of this Statute, at the next General Quarter-Sessions for the County, in which he shall dwell, which shall be at such Quarter-Sessions Entred and Registred.

And be it further Enacted, That if any Justice of the Peace, Mayor, or other Officer shall neglect doing their Duty in Execution of this present Act, every such Justice of the Peace, Mayor, and other Officer, shall for every such neglect, forfeit the Summ of One hundred Pounds, to be Recovered by Action of Debt, Bill, Plaint, or Information, wherein no Protection, Escoyn, or Wager of Law shall be allowed of, nor but one Imparllance; one Moyety thereof to the King's Majesty, his heirs and Successors, the other Moyety to the Informer, or Person that shall sue for the same, and be Disabled from serving as a Justice of Peace, during his Life.

F I N I S.

AN
ACT
FOR THE
CONFIRMATION
OF
ARTICLES,
Made at the
SURRENDER
OF THE
City of Limerick.



DUBLIN:

Printed by *Andrew Crook*, Printer to the King's
Most Excellent Majesty, on *Cork-Hill*, near
Copper-Alley. MDCXCVII.

AN
A C T
FOR THE
CONFIRMATION
OF
ARTICLES
Made at the
SURVEILLANCE
OF THE
City of Lincolne



DUBLIN
Printed by James Groom, Printer to the King's
Most Excellent Majesty, on Cow-Hill, near
St. Dunstons Church, MDCXCVII

An ACT for the Confirmation of Articles, made at the Surrender of the City of Limerick.

CHAP. XXVII.

WHEREAS divers Doubts have arisen, on the Articles made at the Treaty for the late Surrender of the City of Limerick, the Third Day of October, One thousand Six hundred Ninety one, and concerning the true intent and meaning of several Parts thereof.

And whereas Your Majesty hath been Graciously pleased to Recommend to Your Parliament, that the said Articles, or so much of them as may consist with the Safety and Welfare of Your Majesty's Subjects of this Kingdom, may be Confirmed by Authority of this present Parliament.

That the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, having due regard to Your Majesty's Honour, for Declaring the true Sense and Meaning of the said Articles, and taking away all occasions of Doubt for the time to come, do most humbly beseech Your Majesty, that it may be Enacted.

And be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent

Content of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by Authority of the same; that the Second Article in the aforesaid Articles mentioned, be, and is hereby Confirmed and Ratified, in the Sense and Intendment following, and no otherwile (that is to say) That all the Inhabitants, or Residents of Limerick, or any other Garrison in the Possession of the Irish, at the time of making the said Articles; and all Officers and Soldiers then in Arms, under any Commission of the late King James, or those Authorized by him to Grant the same, in the several Counties of Limerick, Clare, Kerry, Cork and Mayo, and all the Commissioned Officers in the Quarters of his Majesty, that belonged to the Irish Regiments then in being, that were Treated with, and who were not Prisoners of War, nor had at any time before that time Enjoyed the Benefit of Protections for the Safety of themselves, or their Goods and Families, which said Officers have in pursuance of the said Articles, Returned to Their Obedience, and Submitted to his Majesty, and to her late Majesty Queen Mary: Such Inhabitants, or Residents of Limerick, or any other Garrison, as aforesaid; such Officers and Soldiers respectively as aforesaid, and their, and every of their heirs, shall hold, Possess and Enjoy, all and every their Estates of Freehold and Inheritance, and all the Rights, Titles, and Interests, Privileges, and Immunities to the said Estates of Freehold and Inheritance belonging, which they, and every, or any of them held, Enjoyed, or were Rightfully and Lawfully Intituled to, in the Reign of King
Charles

Charles the Second, by at any time since, by the Laws and Statutes that were in force in the said Reign of King Charles the Second, and such Possession as was given the said Inhabitants, Officers and Soldiers, in whose behalf the said Articles were, as aforesaid, made, of Lands then in his Majesty's Hands, or in the Hands of his Tenants, by Order of the then Government under his Majesty, is as to the Possession only, and no more, Confirmed and Ratified by the Authority of this Act, against his Majesty, his Heirs and Successors, and all such Estates of Freehold and Inheritance shall be freed and Discharged; and by the Authority of this present Act, are Declared and Enacted, to be, and stand freed and Discharged of, and from all Arrears of Crown-Rents, Dues-Rents, and other Publick Charges, Incurred, or become Due, from, and after the Feast of Saint Michael the Arch-Angel, in the Year of our Lord, One thousand Six hundred Eighty eight, to the Day of the Date of the said Articles.

Provided always, and be it Enacted by the Authority aforesaid, That this Act, or any thing therein contained, shall not Extend, or be Construed to Extend to a Grant of any new Right to the aforesaid Persons, in whose behalf the aforesaid Articles were made, or any of them; but that the same shall Extend, and be Construed to Extend to the Restoring the said Persons, and every of them, to their said Estates of Freehold and Inheritance, against his Majesty, his Heirs and Successors, in as large and ample manner as they should have Enjoyed the same, had they not been Guilty of the Rebellion, aforesaid, and not otherwise, or in any other man-
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ner; neither shall this Act Extend, or be construed to Extend, to alter or avoid the Possession of any such Lands, Tenements, or Hereditaments, as have been Recovered or Gained by any other of His Majesty's Subjects, from, or against the said persons in whose behalf the said Articles were made, or any of them, at any time since the Date of the said Articles, any thing in this Act to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That all and every person, and persons Comprehended in the said Second Article, in the said Articles mentioned, shall have, hold and enjoy, all his and their Goods, and Chattels, Real and Personal, to them or any of them, at the time of making the said Articles, belonging, and which then, or at that time remained either in their own Hands, or in the Hands of any other person or persons whatsoever in Trust for them, or for the Use of them, or any of them; and the said Goods and Chattels, Real and Personal, as aforesaid, shall have, hold and enjoy against His Majesty, His Heirs and Successors: And as for, and concerning all other the Goods and Chattels, Real and Personal, which formerly did belong to, or were the Property of any of the said persons Comprehended within the said Articles, as aforesaid, at any time before the Date of the said Articles, which said Goods and Chattels, Real and Personal, had been at any time since the Tenth day of April, One thousand Six hundred Eighty nine, and before the Date of the said Articles, Seized, Sequestered, or by any manner of Way taken to the use of His Majesty, and her said late Majesty the Queen, by any Sheriff, Escheator,

Scheator, Commissioner, Officer, Civil or Military, their Ministers or Servants, or any other person or persons whatsoever; and all other the Goods and Chattels of the said persons, which were not in their own possession, or in the possession of any person or persons, as aforesaid, in Trust for them, at the Day of the making the said Articles, the same by the Authority of this Act, shall be Deemed, Vested and Adjudged to be in the actual and real possession of his Majesty, without any Office or Inquisition thereof hereafter to be found or taken.

Saving to all and every person and persons, Bodies Politick and Corporate, and to their Successors, Executors Administrators and Assigns, and to the Successors, Executors, Administrators, and Assigns of every of them, other then the said persons in whose behalf the said Articles were made, and their Executors, Administrators and Assigns, Claiming any thing in the said Goods and Chattels, real and Personal or any part thereof, as Executors, Administrators, or Assigns of the said persons, in whose behalf the said Articles were made, or any of them, and all and every other person or persons Claiming, or having any thing in the said Goods and Chattels, Real or Personal, as aforesaid, Seized, Sequestred, or by any manner of way taken to the use of his Majesty, as aforesaid, to the use of the persons in whose behalf the said Articles were made, or any of them, or to the use of any of their Executors and Administrators; all such Right, Title, Interest, Possession, Way Action and Means to recover the same, whatsoever, which any of them had, or ought to have, in the Premises, or any part thereof,

thereof, against the said persons, in whose behalf the said Articles were made, or any of them, in as large and ample manner to all intents and purposes, as if this Act had never been made or made, or any thing herein contained to the contrary notwithstanding.

Provided always, That this Act, or any thing therein contained, shall not extend to avoid any Grant or Grants at any time heretofore made by His Majesty, and the late Queen (of blessed Memory) or by His Majesty of any such Goods and Chattels, Real or Personal, hereby intended to be Vested in His Majesty, as aforesaid, but that such Grant and Grants respectively shall be and remain in such Force and Effect, as if this Act had not been made.

Provided always, and be it Enacted by the Authority aforesaid, That no person or persons shall be construed, to be restored within the Intent and Meaning of the said Articles, or of this Act who at the time of their hearing their respective Claims to the Benefit of the said Articles, shall neglect or refuse to take the Oaths of Fidelity to His Majesty, mentioned in the said Articles; nor to restore such who at the time of making of the said Articles, was, or were out of the Kingdom of Ireland,

Except such persons as are Comprized in the Fourth Article of the said Articles, made for the late Surrender of Limerick, which said persons, in the said Fourth Article Comprized, shall have the Benefit of the said Second Article, in such manner and form as in and by this Act is, as aforesaid, Declared, and no otherwise.

Provided the said persons in the said Fourth Article named, respectively did return hither within

Within the space of Eight Months from the Date of the said Articles, and have within that time Submitted to the Government of His Majesty, and her late Majesty the late Queen, and also within that time taken the Oath of Allegiance to His Majesty, and her late Majesty the Queen.

Be it further Enacted by the Authority aforesaid, That all Merchants, or reputed Merchants, Inhabitants of the Town of Limerick, or of any other Garrison which at the time of making the said Articles, was possessed by the Irish, or of any Town or Place in the Counties of Clare or Kerry, who were absent beyond the Seas, and that have not been in Arms since the Declaration made by His Majesty, and her late Majesty Queen Mary, in February, One thousand Six hundred Eighty eight, shall have the Benefit of the Second Article, in manner and form aforesaid, Declared, in as large and ample manner, as if such Merchants, or reputed Merchants, had been present at the making of the said Articles.

Provided such Merchants, or reputed Merchants, did repair into this Kingdom within the space of Eight Months from the Date of the said Articles, and submitted himself, or themselves to His Majesty, and her late Majesty's Government.

And be it Enacted by the Authority aforesaid, That all and singular the persons already Adjudged, or that shall hereafter be Adjudged to have been Comprized within the Second and Third Articles, of the aforesaid Articles of Limerick, shall from henceforth be deemed and taken to be, as to any Prosecution, in the Name and Behalf of His Majesty, and of her late Majesty,

or in the Name and Behalf of his Majesty, his Heirs, and Successors, fully and absolutely pardoned by the Authority of this Act, of all Attainders or other Judgments in this Kingdom, had or done, for, all Treasons, Dispositions of Treasons, Premises, Felonies, Trespasses and other Crimes or Misdemeanors whatsoever, by them, or any of them, committed or done since the beginning of the Reign of the late King James, to the Third Day of October One thousand Six hundred Ninety one.

And be it further Enacted by the Authority aforesaid, That from and after the Expiration of Two Years, to be computed from the First Day of September One thousand Six hundred Ninety seven, no person or persons whatsoever, shall be adjudged, Deemed, or taken to be Intituled to, or have the Benefit of the said Articles, who shall not be adjudged within that time to be comprehended therein.

And whereas some Questions or Doubts have arisen, for, and concerning the time of the beginning of the Rebellion, or War in this Kingdom, Be it Enacted by the Authority aforesaid, That the said Rebellion, or War, is hereby Declared to have begun upon the Tenth Day of April, One thousand Six hundred Eighty nine, the same being the Day limited to the said Rebels and Traytors by his Majesty, and her late Majesty's Declaration, in February One thousand Six hundred Eighty eight for the said Rebels and Traytors laying down of their Arms, and accepting of Their said Majesties Grace and Mercy, on the Terms in the said Declaration proposed.

And that no person or persons whatsoever, already

already adjudged, or that shall be hereafter adjudged, to be Comprehended in the foregoing Articles, shall be Sued, Molested, or Impleaded at to the Sute of any Party or Parties whatsoever, for any Trespasses by the said persons, as aforesaid Comprized, committed or done any time since the said Tenth of April One thousand Six hundred Eighty nine, and before the Date of the said Articles, for any Arms, Horses, Money, Goods, Chattels, Merchandizes, or Provisions whatsoever, by them seized or taken at any time after the said Tenth Day of April One thousand Six hundred Eighty nine, and before the Date of the said Articles; and no person or persons whatsoever, in the Second or Third Articles Comprized, shall be Sued, Impleaded, or made accountable for the Rents or Melne-rates of any Lands, Tenements, or Houses by him or them received or enjoyed in this Kingdom, since the said Tenth Day of April One thousand Six hundred Eighty nine, to the Day of the Date of the said Articles, nor for any Waste or Trespass, by him or them committed in any such Lands, Tenements or Houses, since the said Tenth Day of April One thousand Six hundred Eighty nine, and before the Date of the said Articles.

And whereas it is necessary that a time be limited for the bringing of the said privat Actions, for, or on account of such Wrongs, Injuries and Trespasses, as aforesaid, committed or done by any person or persons Comprehended, or Claiming the Benefit of the said Articles since the said Fifth Day of November One thousand Six hundred Eighty eight, to the said Tenth Day of April One thousand Six hundred Eighty nine.

Be

Be it Enacted by the Authority aforesaid. That it shall and may be Lawful, to, and for such person and persons as have had any Wrongs, Injuries and Trespases committed upon them, by any of the persons aforesaid, since the said Fifth Day of November One thousand Six hundred Eighty eight, and before the said Tenth Day of April One thousand Six hundred Eighty nine, to commence his or their Action or Actions against such Trespasser or Trespasers, Wrong-doer or Wrong-doers, at any time within the space of One Year, to be accounted from the said First Day of September One thousand Six hundred Ninety seven, and at no other time or times after the expiration of the said Year, any Law or Statute to the contrary notwithstanding.

FINIS.

A N
A C T
To Prevent
PROTESTANTS
Inter-Marrying
WITH
PAPISTS.



D U B L I N:

Printed by *Andrew Crook*, Printer to the King's
Most Excellent Majesty, on *Cork-Hill*, near
Copper-Alley. MDC XCVII.

A. N.

A. C. T.

To Precede

PROTESTANTS

Inter-Religious

PAPERS



COPIES

Printed by James Cook, Printer to the King's
at the Office of the Stationer, in the Strand.
GOD BLESS THE KING.

An ACT to Prevent Protestants Inter-Marrying with Papists.

C A A P. XXVIII.

WHEREAS many Protestant Wal-
dens and Women, as well such as
be Heirs Apparent to their Ance-
stors, as others, having left unto them by their
Father, or other Ancestor, or Friends, Manours,
Lands, Tenements, and Hereditaments, or o-
ther great Substances in Goods or Chattels,
Real or Personal, for their Advancement in
Marriage; or having had considerable Estates
for Life, by Dowry or Jointure, or having had
the Tutition or Guardianship of Protestant Chil-
dren Intituled to such Estates, or Interests, as
aforesaid, by flattery and other Crafty Ins-
nuations of Popish Persons, have been Seduced
and Prebailled upon, to Contract Matrimony
with, and take to husband, Papists or Popish
Persons; which Marriages have not only Ten-
ded to the Ruine and Destruction of such Estates
and Interests, and to the great Loss and Da-
mage of many Protestants Persons, to whom the
same might Descend or Come, but as well to the
Corrupting and Perverting such Protestants so
Marrying, and the Protestant Persons in their
Tuition and Guardianship, as aforesaid, that
they

they forsake their Religion, and become Papists, to the great Dishonour of Almighty God, the great Prejudice of the Protestant Interest, and the heavy Sorrow and Displeasure of all their Protestant Friends. For remedy whereof,

Be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority of the same; That if any Protestant Maid, or Woman Unmarried being Heir Apparent to her Ancestor, or having a Sole or Joynt Estate, or Interest in Fee-Simple, or in Fee-Tail, or being Seized in Fee-Simple, or in Coparcenary, or in Common, or being Seized of an Estate for Life or Lives, by way of Jointure, Dower, or otherwise; or being Possessed of, or Intituled unto any Beneficial Interest, or Term for Years, of, or in any Manours, Lands, Tenements, Rents and Hereditaments, in Possession, Reversion, or Remainder, or being Possessed of, or Intituled to any Personal Estate, either in Money, Stock, Plate, Jewels, or other Goods and Chattels in Law or Equity, to the Value of five hundred Pounds Sterling, or more, shall at any time after the first Day of January next, marry, or take to husband any Person whatsoever, without having first obtained a Certificate in Writing under the Hand of the Minister, of the Parish, Bishop of the Diocels, and some Justice of the Peace Living near the Place, or any two of them, where such Person shall be Resident at the time of such Marriage, that he is a known Protestant; which Certificate shall also be Attested under the Hands of Two or more

Credible

Credible Witnesses, and shall be Granted without Fee or Reward, that then and from the time of such Marriage, such Protestant person so Marrying, and the person he shall so Marry, shall be for ever afterwards Disabled and Rendered Incapable of Having, Holding, or Enjoying, all, or any of the aforesaid Estates or Interests, which such Protestant person so Marrying, shall, may, or ought to have, at the time of such Marriage; and that by such Marriage, as aforesaid, all, and every of the said Estates and Interests belonging to such Protestant person or persons so Marrying, as aforesaid, shall go to, and be Vested in, and in Law Deemed and Estimated to be the Right, Title, Estate and Interest of the next Protestant of the Kin, to whom such Estate, or Interest would Descend, or come to by Law, were such Protestant Maid or Woman, and all other Interfering Popish Heirs, Executors, or Administrators really Dead and Intestate at the time of such Marriage; and that from the time of such Marriage, such next Protestant of the Kin, as aforesaid, to whom all, or any of the said Estates or Interests, shall come by such Marriage, as aforesaid, shall have, hold, possess and Enjoy, all, and every such Estates and Interests, in as Large, Ample, and Beneficial Manner, to all intents and purposes, as such Protestant Maid or Woman might have, held, possessed, or Enjoyed the same, in Case this Act had never been made; and that at any time after such Protestant Maid or Woman, shall Marry without such Certificate, as aforesaid, it shall, and may be Lawful, to, and for such Protestant person or persons, to whom all, or

B

any

any of the said Estates or Interests, shall come by such Marriage, as aforesaid, by any Action at Law, or other Legal means whatsoever, to sue for, and Recover all, or any of the said Estates or Interests, as if such Protestant person or persons so Marrying, as aforesaid, and all other Intervening Popish Heirs, Executors, or Administrators, were really Dead, and Intestate, as aforesaid, and as if such person or persons, who shall so sue for, and Recover all, or any of such Estates or Interests, were Rightfully and Legally Intituled thereto, as Heir, Executor, or Administrator to such Protestant Maid or Woman Marrying, as aforesaid; such Maid or Woman, being by such Marriage to be Deemed and Esteemed Dead in Law, to the aforesaid Intents, Constructions and Purposes.

And if any such Protestant Maid or Woman, as aforesaid, shall at any time after the First Day of January One thousand Six hundred Ninety seven, Marry any such person without such Certificate, as aforesaid, that then, and from thenceforth, such Protestant persons, and such Husband as he shall so Marry, as aforesaid, shall for ever be Incapable of being Heir, Executor, Administrator, or Guardian, of, or to any Protestant or Protestants whatsoever; and in case any Protestant Woman, as aforesaid, is now Married to a Popish person, and hath now by Law a Title, or is chosen or appointed to be Guardian to any Protestant person or persons, having all or any of the said Estates or Interests, aforesaid, that in such Case, from and after the said First Day of January, such Guardian shall be utterly Incapable

able of being any longer so Guardian, or to Receive any the Rents, Issues or Profits, of the said Estates or Interests of such person or persons in Guardianship, as aforesaid; and the Right and Title of such Guardianship, shall devolve on, and come to the next Protestant, or Protestants of the Kin, to whom the Estate of such person or persons in Guardianship, as aforesaid cannot descend, unless such person shall be Incapable in Law, or shall be Adjudged unfit for such Guardianship by the Court of Chancery in this Kingdom: In either of which Cases, such Right of Guardianship shall go to the next Protestant of Kin, who shall be Capable and Fit for the Discharge of such Trust, who shall take into his, her, or their Care and Tutition such person and persons in Guardianship, as aforesaid, and Receive the Rents, Issues and Profits of such Estates and Interests belonging to such person or persons, so in Guardianship.

And that in Case any Protestant Minister, or Popish Priest, or other person whatsoever, shall after the said First Day of January, Joyne in Marriage any Protestant Maid or Woman, having any of the said Estates or Interests, aforesaid, to any person whatsoever, without having such Certificate in Writing, as aforesaid, then every such Protestant Minister, Popish Priest, or other person whatsoever, Joyning in Marriage, as aforesaid, such Protestant Maid or Woman to any person without such Certificate, as aforesaid, for every such Offence, he or they shall so Commit, being Convicted thereof by his or their Confession, or by the Verdict of a Jury of Twelve Men of the County wherein such Offence

Offence shall be Committed, shall suffer One Year's Imprisonment, without Bail or Main-
prize, and forfeit the Summ of Twenty pounds
Sterling, the one Moyety thereof to Our Sober-
aign Lord the King, that now is, his Heirs
and Successors, and the other Moyety to the par-
ty or parties that will sue for the same, by any
Bill, Plaint, Action, Suite or Information,
wherein no Essoyn, Wager of Law, or Protecti-
on shall be allowed.

And whereas the Marriages of Protestant
persons, to, and with Popish Maidens and Wo-
men, have proved pernicious to the Protestant
Interest, it commonly happening such Pro-
testant persons and their Issues, being influen-
ced by such Popish Wives, are Reconciled to Po-
pery, and become Papists: For Remedy whereof,
Be it further Enacted by the Authority aforesaid,
That in Case any Protestant person or persons,
shall after the said first day of January next, Mar-
ry any Maiden or Woman, without having ob-
tained a Certificate in Writing, under the hand
of the Minister of the Parish, Bishop of the Dio-
cese, and some Justices of the Peace, living near
the place where such Maid or Woman shall be
Resident at the time of such Marriage, or any
Two of them, of her being a known Protestant;
which Certificate shall be Attested by Two
Credible Witnesses, as aforesaid, and shall be
Granted without Fee or Reward; such person
or persons so Marrying any Maiden or Wo-
man, shall from and after such Marriage, be
in Law, deemed and esteemed to all intents,
constructions and purposes, to be a Papist, or
Popish Recusant, and shall for ever afterwards,
be Disabled and Rendered Incapable of, and
from

from being Heir, Executor, Administrator, or Guardian to any person or persons whatsoever, as also be Disabled to Sit in either House of Parliament, and Rendered Incapable of, and from having, bearing, or Exercising, any Civil or Military Office or Employment whatsoever, unless such person so Marrying, shall within One Year after such Marriage, procure such Wife to be Converted to the Protestant Religion, and shall obtain a Certificate under the Hand and Seal of the Bishop of the Diocese, or Arch-Bishop of the Province, or Chancellor, of this Kingdom, that he hath renounced the Popish Religion, and is become a Protestant, and shall procure the said Certificate to be Inrolled in the Court of Chancery in this Kingdom.

And whereas several Popish Priests have of late endeavoured to withdraw several of the Soldiers Inlisted in His Majesty's Army, from His Majesty's Service, by Marrying them to Popish Wives.

Be it therefore further Enacted, That any Popish Priest, or Protestant Minister, or other person whatsoever, that shall Marry any Soldier Inlisted in His Majesty's Army in this Kingdom, to any Wife without such Certificate as aforesaid, shall Forfeit the Summ of Twenty pounds for every such offence, to be Levied by Warrant from any Justice of the Peace, in any County in this Kingdom where such offence shall be Committed of the Goods and Chattels of the Offender, or in default thereof, the party so Offending to be Committed to the County Goal there to remain without Bail of Mainprize, until he shall pay the said Summ,

C

one

10 Anno Regni Nono Gulielmi Tertii.

one Moyety thereof to such person or persons that shall give Information and make out such Offence before any Justice of the Peace, and the other Moyety to the Tresurer of the County, to be applyed to the use of the County, and that every Justice of the Peace shall give an account of his proceedings to the next Quarter-Sessions.

Provided always, That any person that shall think himself Agrieved, by the Judgment of any Justice of the Peace, may have Liberty to Appeal to the next Quarter-Sessions, where the said Matter shall be Examined, and such Relief therein given, as to the Justices at the Quarter-Sessions shall seem reasonable.

Provided always, And be it Enacted, That in all Cases where a Certificate is required by this Act, that the person Marrying is a known Protestant, if any Marriage shall be Made without such Certificate, and it can afterwards be made appear by Proof, that such person was a known Protestant, that in such Case, they shall not be Liable to any Forfeitures or Penalties in this Act.

An A C T for Granting an Additional Duty on Tobacco; and for continuing unto His Majesty an Aid, or Additonal Custom on several Goods and Merchandizes. And also, for continuing the Additional Duty on Beer and Ale, and other Liquors, till the Twenty fifth Day of December, One thousand Seaven hundred and Two

C H A P. XXIX.

A N
A C T
For Granting an
Additional Duty
O N
T O B A C C O,

And for continuing unto His Majesty, an
Aid, or Additional Custom on several Goods
and Merchandizes,

A N D A L S O
For continuing the Additional Duty on Beer
and Ale, and other Liquors, till the Twenty
Fifth day of *December*, One thousand, Seven
hundred and Two.



D U B L I N:

Printed by *Andrew Crook*, Printer to the King's
Most Excellent Majesty, on *Cork-Hill*, near
Copper-Alley. MDC XCVII.

Q



Hot Drinking

Additional Duty

JOE A. COO.

and for conferring with His Majesty on the subject of the proposed alterations to the Bill.



D. O. B. 11/11/1911
 Died by Accident, 11/11/1911
 Most Excellent Majesty, on 11/11/1911
 11/11/1911

An A C T for Granting an Addi-

tional Duty on Tobacco; and for continuing unto His Majesty an Aid, or Additional Custom on several Goods and Merchandizes, And also, for continuing the Additional Duty on Beer and Ale, and other Liquors, till the Twenty fifth Day of *December*, One thousand Seven hundred and Two.

C H A P. XXIX.

WE Your Majesty's Obedient and Faithful Subjects, the Commons of Ireland, in Parliament Assembled, being by Duty Obliged, and always ready to the utmost of Our Abilities, to Supply and Furnish Your Majesty with such Sums of Money, as may Defray the necessary Charge of the Government of this Kingdom, and to Provide for such Publick Works, as may tend to the Quiet and Good of the same; do with all Gratitude and Humility, Express our Thankfulness to Your Majesty, for having upon the Address of Commons in Parliament Assembled, given Orders to Grant Respite from time to time, to the Collecting of Quit-Rents, Crown-Rents, and Composition-Rents, Due to Your Majesty, out of the Houses and Lands, which through the Calamities of the late Rebellion, have been waste from the five and Twentieth of March, One thousand Six hundred Ninety two, to the five and Twentieth of March, One thousand Six hundred Ninety five, and thereby have been Disabled to pay the same; and also for giving Orders and Directi-
ons

ons for the due Regulation and Government of the Army in this Kingdom, by which means the Soldiers have been less Grievous and Burthenome to the same then formerly, in their respective Garrisons and Quarters.

But forasmuch as it is found to be absolutely necessary; as well for the good Discipline and Order of Your Majesty's Army, as for the Wellfare of Your Majesty's Liege People of this Realm; that the said Army should be Disposed of, and Lodged, and Quartered in Barracks, whereby they will not only be kept together, under the Eye and Care of their severall Officers, but Your Majesty's other Subjects of this Kingdom, will thereby be Eased of Quartering in their Houses, to which they have formerly, for the necessity of Affairs submitted: Therefore, as a further Supply to Your Majesty, and also towards the Building and Erecting Barracks, in such convenient and necessary parts of this Kingdom, for the use of the Army, as to Your Majesty shall seem most proper for the same; and that the said Respited Arrears of Quit-Rent, Crown-Rent, and Composition-Rent, due out of Waste Houses and Lands, from the Five and Twentieth of March, One thousand Six hundred Ninety two, to the Five and twentieth of March, One thousand Six hundred Ninety five, may be effectually Answered unto Your Majesty's Exchequer, and to Answer the other Uses hereafter in this Act provided for, in Addition to the Supplies already Granted to Your Majesty this Session of Parliament; We humbly beseech Your Majesty, that it may be Enacted.

And be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent

Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That an Additional Duty of One Penny per Pound, be Raised and Levied upon all Tobacco that shall be found to be, or to have been in this Kingdom, in the Hands of any Merchant or other Person whatsoever, the First Day of November, One thousand Six hundred Ninety seven, whensoever the same was Imported: Also upon all Tobacco that shall be Imported into this Kingdom after the First Day of November, One thousand Six hundred Ninety seven, until the five and twentieth of December, which shall be in the Year of Our Lord, One thousand Six hundred Ninety nine.

And whereas it is found Necessary to answer the Ends aforesaid, That the Additional Custom Granted to His Majesty, on several Goods and Merchandizes, by several Acts made in this Session of Parliament, shall be continued till the five and twentieth of December, One thousand Seven hundred and Two

Be it further Enacted by the Authority aforesaid, That all Tobacco, Indin, Callicoes, and all sorts of Linnen, Scotch-cloth, and Wines, except Wines of the Growth of Spain, and of the Dominions thereunto belonging, that shall be Imported into this Kingdom at any time, from and after the four and twentieth Day of December, One thousand Six hundred Ninety nine, unto the five and twentieth Day of December, which shall be in the Year One

Seven hundred and Two, and no longer, shall Answer and Pay unto His Majesty, his Heirs and Successors, over and above all

assessments

25

Rates

Rates and Duties due or payable for, or out of the same, by Vertue of any former, or other Law in Force in this Kingdom (except only the several Statutes formerly made in this present Session of Parliament, which laid several Additional Duties on the said Goods, until the said five and twentieth Day of December, which will be in the Year One thousand Six hundred Ninety nine) the several Rates and Duties hereafter mentioned. (That is to say) For every Pound weight of Tobacco to be Imported within the time aforesaid, Two pence Half-penny, Sterling, for every Ell of Muslin, Callicoe, and of all and every other sorts of Linnen, Imported within the time aforesaid (Scotch-Cloth Excepted) Six pence Sterling, and for every Yard of Scotch-Cloth Imported within the aforesaid time, Six pence Sterling; for every Tunn of Wine (except Wines of the Growth of Spain, and the Dominions thereunto belonging) Imported within the time aforesaid, Three Pounds Sterling, and so proportionably for a greater, or lesser quantity: Which several Duties shall, and may be Raised, Collected and Levied, and paid unto His Majesty, His Heirs and Successors, during the time aforesaid, at the same times, and in the same manner and place, and by such Rules, and Ways, and Means, and under such Penalties and Forfeitures, as are mentioned and expressed in one Act of Parliament, made in a Session of Parliament, which began the Eighth day of May in the Thirteenth Year of the Reign of the late King Charles the Second, Intituled, An Act for Settling the Excise, or New Impost, upon the said late King Charles the Second, His Heirs and Successors, the same to be paid upon Merchandizes

chandizes Imported and Exported into, or out of the Kingdom of Ireland, according to the Book of Rates to the said Act annexed.

Provided always, and be it further Enacted by the Authority aforesaid, That the Merchant, or other Importer, of any Tobacco, so Charged, as aforesaid, with the said Additional Duty of One penny per Pound Weight, until the Twenty fifth of December, One Thousand Six hundred and Ninety Nine, and with the Additional Duty of Two pence half-penny, per Pound, from that time till the Fifth of December, One thousand Seven hundred and Two, shall have like time for payment of such Additional Duty and Duties, as they had, or ought to have by vertue of the above-named Act of Excise, or New Impost; any thing here- in contained to the contrary, notwithstanding.

And be it further Enacted, That from and after the Twenty fourth day of December, which will be in the Year One thousand Six hundred Ninety eight, there shall be throughout this his Majesty's Kingdom of Ireland, Raised, Levied, Collected and Paid unto his Majesty, his Heirs and Successors, unto the Twenty fifth day of December, which shall be in the Year of Our Lord God, One thousand Seven hundred and Two, for Beer, Ale, and other Li- quors hereafter expressed, by way of Excise, over and above all other Duties, Charges, and Im- positions thereout, then payable, the Excise, or Duty hereafter following: (That is to say) for every Thirty two Gallons of Beer, or Ale, a- bove Six Shillings the Barrel price, Brewed within this Kingdom, by the Common Brewer, or in his Vessels, or by any other person or per- sons

sons who doth, or shall sell Beer or Ale publicly, or privately to be paid by the Common Brewer, or by such other person or persons respectively, One Shilling and Six pence, and so proportionably for a greater or lesser quantity, over and above the Duties payable for the same, if this Act had not been made. And for every Thirty two Gallons of Beer, or Ale of Six Shillings the Barrel price, or under, Brewed by the Common Brewer, or other person or persons who doth or shall sell Beer, or Ale publicly, or privately, to be paid by the Common Brewer, or by such other person or persons respectively, for a greater or lesser quantity, Three pence, over and above what would be payable for the same, if this Act had not been made.

And be it further Enacted by the Authority aforesaid, That from and after the Twenty Fourth Day of December, in the Year of Our Lord God One thousand Six hundred and Ninety eight there shall be throughout this His Majesty's Kingdom of Ireland, Raised, Levied, Collected, and Paid unto His Majesty, during the aforesaid space and term of Four Years, ending on the Twenty Fourth Day of December, One thousand Seven hundred and two, an Additional Duty, or Excise of Three pence upon every Gallon of Aquavita, Strong Waters, and Balcan, or other potable Spirits, made or Distilled in this Realm for sale, whether of Foreign, or Domestick Spirits, or Materialls; the same to be paid by the first Maker or Distiller thereof, and so proportionably for a greater or lesser quantity, over and above all other the Duties that would have been payable for the same, if this Act had not been made.

And

And be it further Enacted by the Authority
aforesaid, That the severall Rates and Duties of
Excise, hereby Granted on the severall Liquors
aforesaid, shall be Raised, Levied, Collected, Re-
covered and Paid unto his Majesty in the same
Manner and Form, and by such Ways and
Means, and under such Penalty and Penalties,
and Forfeitures, as are mentioned and expressed,
and directed for the Collecting, Gathering, and
Recovering of the severall Duties of Excise, in,
and by the said Act of Excise, or New Impost,
made in the Fourteenth Year of the late King
Charles the Second, Intituled, An Act for Settle-
ing of the Excise, or New Impost, upon his Ma-
jesty, his Heirs and Successors, according to the
Book of Rates therein Incerted, or by any other
Law now in Force, with the like Liberty of
Appeal to, and for the Parties grieved, as in,
and by the said former Act is respectively pro-
vided.

And be it further Enacted by the Authority
aforesaid, That no Inkeeper, Victualler, or other
Retailer of Beer or Ale, at any time hereafter,
during the continuance of the aforesaid Additional
Duties on Beer and Ale, by this Act Imposed,
shall be Sued, Impleaded, or Molested by Ju-
dicaments, Informations, Action, or otherwise,
for Selling and Uttering of Beer and Ale, at
any other, and higher Prices, then the Prices
heretofore Limited and Appointed; but that all
Officers and other Persons, concerned in Mize-
ing of Beer and Ale throughout this Kingdom,
shall take Care to Mize the same, with Regard
to the Additional Charge or Duty aforesaid.

And be it further Enacted and Ordained by the
Authority aforesaid, That all, and every Mer-
chant,

chant, Importer, Shop-keeper, Re-tailer, or other Person or Persons, Inhabiting or Trading within the City of Dublin, and all other Towns Corporate, Ports, and all other places of this Kingdom, do within the several times herein-after mentioned (That is to say) in the City and Suburbs of Dublin, within Four days after the first Day of November, One thousand Six hundred Ninety seven; and in all other places, within Ten Days after the first Day of November, One thousand Six hundred Ninety seven, Make and Deliver under his, or Their hands, to the Commissioners of Excise for the time being, their Sub-Commissioners, Collectors, or other Chief Officers of Excise, of the District, in which he or they Live or Inhabit; a true and perfect Account, of all Tobacco remaining in the Possession of every such Merchant, Shop-keeper, Re-tailer, or other Person whatsoever; or in the Possession of any other, to his or Their Use, at the Respective times aforesaid; and shall likewise make Oath before the said Commissioners, Sub-Commissioners, Collectors, or other Chief Officer as aforesaid, who, or any of them, hereby are Authorized to Administer the same, that the Account by him or them Given, is a True, Just, and Perfect Account, of all the Tobacco in his Possession or in the Possession of any other in Trust for him or them; and the said Commissioners of Excise, or their said Sub-Commissioners, Collectors, or other Chief Officer, respectively, are hereby Charged and Required, to send one, or more Officer or Officers, to enter into the Cellar, Vault, Store-cellar, Store-house, Ware-house, or other place, or places whatsoever, to any Merchant,

or

or other person in this Kingdom belonging, to Search, Seé, and Try, whether the quantity of Tobacco do not exceed such Account given under Hand, as aforesaid; and if the same shall be found to agree, that then the Duty of One Penny, per Pound, shall be immediately paid down at the usual Allowance of Imported Exercise, or Bonds with sufficient Security, be immediately passed to his Majesty, for payment of the same in Three Months time; and in Case any Merchant, or other Person lyable to give an Account, as aforesaid, shall Neglect, Omit, or Refuse to Make and Deliber in such an Account at the time aforesaid, or else Making and Delibering in such Account, shall not upon Demand thereof, by such Officer or Officers as shall be thereunto Appointed, suffer him or them to Enter into his or Their House or Houses, Ware-house, Store-cellar, Store-house, Vaults, or any Place or Places, to him or them belonging, or Admitting them, as aforesaid; shall Hide, Conceal, or not shew all, and every, his and Their Vaults, Store-houses, Ware-houses, and other places; or shall make a short Return of any Tobacco to him or them belonging; or Conceal it from View of the Officer or Officers, appointed to Search for, and View the same; shall for every such Offence, forfeit five pounds Sterling, over and above such Quantity or Quantities of Tobacco, as shall be found to exceed such his Account, returned under his or Their Hand or Hands, the one Moiety to his Majesty, his Heirs and Successors, and the other Moiety to the Informer; the said Penalties and Forfeitures, to be Prosecuted, Recovered, and Condemned in the same manner, and according

according to the Methods prescribed in the said Act, for Settleing the New Excise, or Impost, upon the said late King Charles the Second.

And be it further Enacted, That whatsoever summe or summes of Money, the said Aid, or Additional Duty shall yeild unto His Majesty, over and above the summe of Fifty thousand pounds, sterling; immediately, and in the first place payable unto His Majesty, be, and shall be paid and applied to the severall Uses following, and to no other Use whatsoever (That is to say) The summe of Twenty five thousand pounds, which shall be first Raised, Levied and Received out of the Aid aforesaid, over and above the said summe of Fifty thousand pounds, shall be Employed in, and applyed to the Building of Barracks, for Soldiers, in the most useful, convenient and necessary parts and places in this Kingdom, according to the Directions of the Chief Governor, or Governors, for the time being; which Barracks, shall be forthwith begun, and carried on from time to time, as fast as any part of the said summe of Twenty five thousand pounds allotted for the Building thereof, shall come in and be received, out of the said Additional Duties, or Aid, Granted to His Majesty by this present Act. And We humbly beseech Your Majesty, That Your Majesty will be Graciously pleased, to accept of the further summe of Twenty one thousand, and Twenty seven pounds, Three shillings, and Six pence half-penny, to be Raised and Levied out of the said Additional Customs, or Duties, by this present Act, Granted unto Your Majesty, in full Discharge of the Arrears of Quit-rent, Crown-rent, and Composition-rent, due to
 Your

Your Majesty out of the Houses and Lands that were returned to be waste, from the Five and twentieth Day of March, One thousand Six hundred and Ninety two, to the Twenty fifth of March, One thousand Six hundred Ninety five; the Collection whereof, was respited upon the Humble Application of Your Majesty's Subjects, the Commons of Ireland in Parliament Assembled.

And be it further Enacted, That the several Lands, Tenements, and Hereditaments, returned to have been waste, from the Twenty fifth of March, One thousand Six hundred Ninety two, to the Twenty fifth of March, One thousand Six hundred ninety five, and respited as aforesaid, shall be, and always hereafter shall be taken, deemed, and adjudged to be Free and Discharged of, and from all Quit-rents, Crown-rents, and Composition-rents, and of, and from all Arrears thereof Contracted, Incurred, or become due, between the said Twenty fifth Day of March, One thousand Six hundred Ninety two, to the Twenty fifth of March, One thousand Six hundred Ninety five, inclusive; and that no person or persons whatsoever, hereafter shall be Distrained, or otherwise Sued, Uered, Processed or Impleaded for, or on Account for the same, or any part whatsoever thereof; and that no Officer or other person whatsoever do Distrain, or Issue any Process for the same, or any part thereof, under the pain and penalty of paying to the person grieved thereby, double Costs, and double Damages, for such unjust Sute, Molestation, or Ueration.

And to the End the Arrears of Quit-Rents, Crown-rents, and Composition-rents, hereby intended to be Discharged, may be ascertained.

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Be it further Enacted by the Authority aforesaid, That the Commissioners of His Majesty's Revenues, from the Books and other Papers which have been Transmitted to them, from the Collectors and other Officers of His Majesty's Revenues, before the One and twentieth Day of August, One thousand Six hundred Ninety seven, wherein any such Rents are mentioned to be respited, as being Charged upon any Houses or Lands that are Wasted, shall make a particular Account in Writing, of all such Arrears so Respited for the time aforesaid, in Case they do not exceed Twenty one thousand Twenty seven Pounds, Three Shillings and Six pence half-penny; and if they do exceed Twenty one thousand Twenty seven Pounds, Three Shillings and Six Pence half-penny, then an Apportionment shall be made of the said Rents, so that the said Account shall not exceed in the whole, Twenty one thousand Twenty seven Pounds, Three Shillings and Six Pence half-penny; and that the said Commissioners shall Deliver the said Account into the Office of the Auditor General, before the Twenty fifth Day of March, One thousand Six hundred Ninety eight, to which all Persons concern'd, shall have free Access without Fee or Charge.

And it is hereby Provided and Enacted, That nothing in this Act contained, shall extend to Discharge any Arrears of Quit-Rents, Crown-Rents, or Composition-Rents, Charged on any Houses or Lands for being Wasted, unless such particular Arrear be contained in the said Account of Arrears to be Discharged as aforesaid.

And

And in Case the said Commissioners shall refuse, or neglect to Make, and Deliber into the Auditor's Office, the said Account within the time aforesaid, they, and every of them, shall Forfeit Treble Damages to every Person who shall be Grieved by such Neglect, or Refusal, to be Recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Dublin, in which no Essoyn, Protection, Wager of Law, or more then one Imparllance shall be Allowed, any thing herein Contained to the Contrary notwithstanding.

And if any Person or Persons shall be hereafter Impleaded, or Molested, contrary to the Scope or Intent of this Act, that such Person, or Persons, shall not be obliged to Discharge himself by Plea, or Record, from such Charge, but shall be admitted to Discharge himself by Motion, in His Majesty's Court of Exchequer, without any Charge, Fee, or Reward, and by shewing unto the said Court this present Act, and making it appear by Affidavit, and Certificate of the Auditor-General, that the Quit-Rent, Crown-Rent or Composition-Rent, for which he is Distrained, Sued, or Impleaded, become Due, between the Twenty fifth of March, One thousand Six hundred Ninety two, and the Twenty fifth of March, One thousand Six hundred Ninety five, Inclusive, out of Houses, or Lands Returned Waste, as aforesaid, before mentioned, and are mentioned, and comprehended in such Account, Transmitted to the Auditor-General, to be Charged upon Waste Lands, and for that Reason Respited as aforesaid; which Certificate, the Auditor-General shall be obliged

obliged to give on Demand, to the Person requiring the same, Without Fee or Reward.

And be it further Enacted, That from and after the time that the said summs of Fifty thousand pounds, and Twenty five thousand pounds, and Twenty one thousand pounds, and Twenty seven pounds, Three shillings and Six pence half-penny shall have been Levied and Paid unto his Majesty out of the present Aid, or Additional Custom, Granted unto his Majesty by this present Act, that what other or further summs, shall, and may be Levied and Collected, by vertue thereof, shall and may be paid, and applyed to the use following: That is to say.

Whereas Sir Audley Mervin, Knight, Prime Sergeant to his Majesty King Charles the Second, was in his life-time Speaker of the House of Commons, in the Parliament which began in this Kingdom, in the Year, One thousand Six hundred and Sixty one, and Continued so till the Dissolution of the said Parliament, in the Year One thousand Six hundred and Sixty six; During which time, the said Sir Audley Mervin not only spent great part of his Fortune in supporting the State and Dignity of that Honourable Employment, but wholly declined his Practice at the Bar, which was very Considerable.

And whereas the said House of Commons, humbly Addressed themselves to the Government, in behalf of the said Sir Audley Mervin, for the Summ of Six thousand pounds, Sterling, to be Bestowed on him, for his great Services done to his Majesty, and the English Interest of this Kingdom, in that Station, of which
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summe, howeuer, he neuer receiued any part, so as the said Sir Audley Mervin, was forced to Charge his Real Estate with great summs of Money, for Portions and otherwise, and the same hath been and still is greatly Incumbred with Debts: That the summs that shall be Leuyed, as aforesaid, after the payment of the said summs of Fifty thousand pounds, Twenty five thousand pounds, and Twenty one thousand, Twenty seaven pounds, Three shillings, Six pence half-penny, be applyed and paid as followeth, viz. Three thousand pounds thereof to Audley Mervin, Esquire, eldest Son of Henry Mervin, Esquire, Son and Heir of the said Sir Audley Mervin, and the other Three thousand pounds to be equally divided between Hugh Mervin, and George Mervin, Esquires, younger Sons of the said Sir Audley Mervin. And also, that after the payment of the said summe of Six thousand pounds, that the further summe of Six hundred pounds Sterling, shall, and may be Leuyed, Collected and Paid, ower out of the said Aid, or Additional Custom, or Duties, unto Richard Warburton of Garryhinch, in the Queens-County, Esquire, being a summe due to the said Richard Warburton, for Services by the said Richard Warburton performed, during the said Parliament, which began in this Kingdom in the Year of Our Lord God, One thousand Six hundred Sixty and one.

. F I N I S .

A N
A C T
To Hinder the
REVERSAL
OF SEVERAL

Outlawries and Attainders;
And to Prevent the Return of
Subjects of this Kingdom, who have
gone into the Dominions of the *French*
King in *EUROPE*.



D U B L I N :
Printed by *Andrew Crook*, Printer to the King's
Most Excellent Majesty, on *Cork-Hill*, near
Copper-Alley. M DC XC VII.

A
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 To
 REVEAL
 OF
 Outlaws and Assassins
 And to Prevent the Return of
 Subjects of the Kingdom who have
 gone into the Dominion of the French
 King in A.D. 1793.
 1794.
 Printed by John Galt, Printer to the King.
 Whitehall.
 1794.



An ACT to hinder the Reversal
 of several Outlawries and Attainders, and to
 Prevent the Return of Subjects of this King-
 dom, who have gone into the Dominions of
 the *French King in Europe.*

C H A P. XXX.

FORASMUCH as by the Laws of this
 Kingdom, the Kings and Queens of Eng-
 land are by Undoubted Right, Kings and
 Queens of this Realm, and ought to Enjoy the
 Title, Majesty, Power, and Authority of Kings
 and Queens of the same: Yet nevertheless,
 Richard late Earl of Tyrconnel, formerly Lord
 Deputy, and Chief Governour of this Kingdom,
 by Vertue of a Commission from the late King
 James, Donogh late Earl of Clancarty, William
 late Earl of Limerick, Ulick late Lord Viscount
 Gallway, Peirce late Lord Viscount Galinoy, Sir
 Valentine Browne, Garrott Dillon, Esquire, late
 Prime Serjeant to the late King James, Sir
 Richard Nagle, late Attorney-General to the said
 King James, and diverse other Wicked and Il-
 disposed Papists, contrary to their Allegiance
 and Duty, did utterly Refuse to Submit to
 Your Majesty's Government. By the said late
 Earl of Tyrconnel, after Your Majesty's happy
 Accession to the Imperial Crown of England,
 continuing to act as Lord Deputy, and Chief
 Governour of this Kingdom, in Derrogation to
 Your Majesty's Royal Authority, and in Op-
 position

position thereunto; and with the Advice and Assistance of them the said Donogh late Earl of Clancarty, William late Earl of Limerick, Ulick late Lord Viscount Gallway, Pierce late Lord Viscount Galmoy, Sir Valentine Browne, Garrett Dillon, Esquire, Sir Richard Nagle, and others, as aforesaid, Raising Forces to Oppose Your Majesty and Your Government; and they with many other Irish Papists, who were in Arms, utterly refused to accept of the Grace, and Favour, extended to them, by Your Majesty's Royal Proclamation, bearing Date the Two and twentieth day of February, in the first Year of the Reign of Your Majesty, and Your Royal Consort, the late Queen of blessed Memory; but on the contrary, Countenanced and Encouraged the late King James, to Summons several of the Inhabitants of this Kingdom, to Meet and Assemble in this Your Majesty's City of Dublin, as a Parliament; and they with others, made several pretended Acts and Ordinances, which they termed Acts of Parliament, under the Authority of the late King James, in the Month of May, One thousand Six hundred Eighty Nine; and thereby Attainted many Thousands of his Majesty's good Protestant Subjects of this Kingdom of High-Treason, for Adhering to Your Majesty, and her late Majesty; and several other pretended Acts and Ordinances, in Derogation to Your Majesty's Undoubted Right; and Encouraged many of Your Majesty's Subjects, to Rise in Arms, and Levy War against Your Majesty; brought into this Kingdom, great numbers of the French King's Subjects, Your Majesty's open Enemies, to their Assistance; Murthered and Destroyed several Thousands of Your Majesty's good

good Protestant Subjects of this Kingdom, for no other reason but for their being of the Protestant Religion, and adhering to Your Majesty, and her late Majesty, Your Royal Consort, and Encouraged an unnatural Rebellion throughout this Kingdom, which by the goodness of Almighty God by the Great Expence of the Treasure of England, and the Blood of England, and this Kingdom, and the Extrém Hazard of Your Majesties Sacred Person, is reduced to Your Majesty's Obedience, and this Your Kingdom settled in perfect Peace, notwithstanding which many of Your Majesties Irish Papist Subjects, have Engaged with Your Majesties Enemies, and several Thousands of them are actually in the French Kings Service, against Your Majesty. May it please Your Majesty that it may be Enacted.

And be it Enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by Authority of the same, that all and every the Convictions, Outlawries, and Attainders in this Kingdom, of any Person or Persons whatsoever, for High Treason, or Rebellion by him or them Committed, or done not Reversed or Pardoned, before the Twenty Seaventh Day of July, One Thousand Six Hundred Ninety Seaven, other then the Convictions, Outlawries, and Attainders of Persons already adjudged, to be Comprehended within the Articles of Limerick or Gallway, or either of them, who have not yet Reversed their Outlawries, and Attainders, and other then the Outlaw-

ries, and Attainders of such, who within the space of Two Years, to be accounted from the First Day of September, One Thousand Six Hundred Ninety Seaven, shall be Adjudged to be Comprehended, within the said Articles, or any of them, shall be, and remain sufficient and effectual in Law for ever, to all intents, constructions and purposes, any Error insufficiency, or other defect in form, or matter in them, or any of them, to the contrary notwithstanding, and that no Judgment upon any Writ of Error, or Plea, nor any Pardon from his Majesty, his Heirs or Successors, shall anywise operate to the prejudice, or to the invalidating of such Conviction, Outlawry, and Attainders, Except such as are herein before Excepted, any Law, Usage, or Custom to the contrary, notwithstanding.

And be it further Enacted by the Authority aforesaid, That all and every Papist and Papists, or reputed Papist or Papists, that have been Guilty of the said Rebellion in this Kingdom against his Majesty, and her late Majesty, the Queen, and who by any Inquisition already taken, by the Oaths of Twelve good and lawful Men, and Returned, or that shall be taken by the Oaths of Twelve good and lawful Men, and returned within the space of Two Years, from the First Day of September, One thousand Six hundred Ninety Seaven, hath, have, or shall be found to have Dyed, or been Slain, in their said Actual Rebellion, before the Third Day of October, One thousand Six hundred Ninety One, shall by Authority of this Act, be Convicted, and Attainted of High-Treason, and shall incur

incur the Penalties and Forfeitures that Traytors Attainted by the Ordinary Course of Proceedings, in Cases of High-Treason, by the Laws of this Realm, now in Being, ought to suffer and undergo.

And be it further Declared and Enacted, That wheresoever any such Papist or Papists, heretofore have been found to have been Slain, or to have Died in the said Rebellion, against his Majesty, and her late Majesty, the Queen, before the Third Day of October, One thousand Six hundred and Ninety one, by Inquisition taken upon the Oaths of Twelve, or more good and lawful Men of the County, where such Papist, or Papists have committed such Rebellion and Treason; that the said Papist, or Papists, or reputed Papist, or Papists, so found to have been Slain, or to have Died in Rebellion against his Majesty, and her late Majesty, the Queen, shall at all times hereafter be adjudged and Deemed, and is, and are hereby Declared to be Traytors Attainted, to all intents and purposes; and to have incurred all such Penalties and Forfeitures of Estate Real and Personal, from the Time he or they shall by such Inquisition be found to have committed, or been guilty of the said Rebellion and Treason, as if he or they had been Attainted of any such Rebellion and Treason, by Judgment upon Verdict, or Outlawry.

Provided always, That nothing in this Act contained, as for, and concerning the Forfeiture of such Papist, or Papists, or reputed Papist, or Papists, That Died, or were Slain in Actual Rebellion, before the Third day of October, One thousand Six hundred and Ninety

ty one, shall extend, or be Construed to extend to the Prejudice of any person or persons being of the Protestant Religion, or professing to be of the Protestant Religion, the Tenth day of April, in the Year of Our Lord God, One thousand Six hundred and Eighty Nine who hath continued so from that time hitherto, or till the time of his or their Death, claiming, or deriving any Titles of Honour, by immediate Discent from such Papist, or Papists, as aforesaid, or who have, or had any Estates, Real, or Personal, by Discent, or Purchase, Bona fide, made, or who have any Real Incumbrances on such Papist, or Papists Estates, for Valuable Considerations, from, or by such Papist, or Papists, as aforesaid Dead, or Slain, in Rebellion; or from his, or their Heirs, Executors, Administrators, or Assigns, at any time since the Treason committed and done, and before the Sixth day of June, in the Year of Our Lord God, One thousand Six hundred and Ninety Seven; but that such person or persons, being of the Protestant Religion, in manner as aforesaid, shall, and may have, hold, and enjoy all & every his and their Title and Titles of Honour come to them, respectively, by the Death of such Papist, or Papists, as aforesaid, Dead, or Killed in the said Rebellion; as also all and every the Rights, Titles, and Interests by Discent, Purchase, or Real Incumbrance, from, or by such Papist, or Papists, or reputed Papist, or Papists so Dead, or Killed in Rebellion, or from his and their Heirs, Executors, Administrators, and Assigns, or any of them, at any time since the said Rebellion committed and done, and before the Sixth day of June, aforesaid, any thing in

in this Act to the contrary notwithstanding.

And be it further Declared and Enacted by the Authority aforesaid, That it shall, and may be Lawful, to, and for the Lord Chancellor, Lord Keeper, or Commissioners of the Great Seal of this Kingdom, for the time being, at any time within Two years, to be Accounted from the first Day of September, One thousand Six hundred and Ninety seven, to Issue one or more Commission or Commissions, into all, or any of the Counties of this Kingdom, to be Directed to the Escheator or Escheators, of such County or Counties, or to his, or their Deputy, or Deputies, Lawfully Authorized; or to such other Good and Lawful Men, as it shall seem meet to Appoint Commissioners; Whereof one of the Judges of the King's-Bench, or Common-Pleas, or one of the Barons of His Majesty's Court of Exchequer, shall be always one; to Enquire by the Oaths of Twelve, or more Good and Lawful men of the said County, or Counties, what person or persons of the Popish Religion have Dyed, or were Slain in the said Rebellion against His Majesty, and her late Majesty the Queen, before the said Third Day of October, One thousand Six hundred and Ninety one; and what Estate or Estates, Real or Personal, such person or persons of the Popish Religion, as aforesaid, so Dying, or so Killed, was, or were Seized, or Possessed of, in Use, Trust, Possession, Reversion, or Remainder, in such County where such Enquiry shall be made, and such Commission Executed at the time of the Committal of such Rebellion, or Treason, or at any time after the same. In every of which Commissions, there shall be a Clause Inserted,

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Requiring

Requiring the said Commissioners to give publick Notice in the Chief Town of each County, of the time and place appointed for the Execution of such Commission, Twenty Days at least, before the same shall be Executed.

Provided always, That it shall, and may be Lawfull, to, and for any person or persons Claiming as Heir General, or as Heir, or Issue-Tail, or as Executor, Administrator, or Assignee, to whom respectively the Title, or Titles of Honour, or the Estate Real or Personal, of the person so found to have Dyed, or to have been Killed in Rebellion, could have come, but for the Inquisition aforesaid, found, or to be found; and to, and for any other person or persons, Bodies-politick, or Corporate, who shall be Agrieved by such Inquisition, to put in his or their Traverse, or Traverses, denying that such person or persons Dyed; or was, or were Slain in Rebellion; or to put in any other, his, or their Traverse or Traverses, to any matter or thing contained in such Inquisition, within one year next after the said First Day of December, One thousand Six hundred and Ninety seven, or within one year next after the Returning and Filing of Record of such Inquisition, as aforesaid, at the Election of the person Agrieved; and if the Traverse so to be Entred and Taken, shall be Tryed, and the Jury that shall Try the same, shall find contrary to the said Inquisition, then and in such Case, such Inquisition shall become Void, and of none Effect in Law; and the said Traverser and Traversers, shall enjoy such his, or their Title or Titles of Honour, and be restored and put into Possession of such Estate, Real or Personal, as would to him, or

or them have descended, remained or come by course of Law, in the same Manner, as if no such Inquisition had been found, any thing herein contained to the contrary notwithstanding.

And if Verdict shall be given against the Traverler, upon any Plea of Traverle, as aforesaid, or if Judgment shall pass against such Traverler, for Insufficiency of such his Traverle, or if he shall fail to proceed to try the said Issue of Traverle, within one Year next after such Traverle shall be filed, the said Inquisition and Finding, shall at all times hereafter, stand, be, and remain firm, and valid, and be no way Impeached, annulled, or set aside, any Law, Custom or Statute to the contrary, notwithstanding.

Saving and Excepting hereout, Women Covert de Baron, persons within the Age of Twenty one Years, persons in Prisons, persons out of this Realm, elsewhere then in the Dominions of the French King in Europe; and also all persons of Non sane Memory, all, and singular which said persons, by the Authority aforesaid, shall have their, and every of their Right and Title reserved and saved to them, and their Heirs, Executors, and Administrators respectively, unto the time that they be and come of their full Age of One and twenty Years, out of Prison within this Land, Uncovert, and of Whole Mind.

And the same Traverle, or Traverlers may take, and pursue within One Year after their coming of full Age, of Twenty one Years, out of Prison within this Land, Uncovert, of Whole Mind.

And

And also, be it Enacted by the Authority aforesaid, That all such persons as be Covert de Baron, and every person within the Age of Twenty one Years, in Prison, or out of this Land, or of Non sane Memory, at the time of taking of the said Inquisition, and by this Act, as aforesaid, excepted, that they, or their Heirs, Executors, Administrators, or Assigns, according to their respective Rights and Interest, may take his or their Traverse, or Traverses within One Year next after they respectively come and be of the Age of Twenty one Years, out of Prison, Uncovert, within this Land, and of Sane Mind.

And if they do not take their Traverse, or Traverses within the said Year, and according to the Limitation, Method, and Direction of this Act, as aforesaid, that then they, and every of them, and their Heirs, Executors, Administrators, and Assigns, according to their respective Rights, and Interests, are, and shall be concluded by the said Inquisition and Finding, any thing in this Act to the contrary notwithstanding. And for the preservation of the Peace and Quiet of this Kingdom,

Be it Enacted by the Authority aforesaid, That if any person or persons, being his Majesty's Subject, or Subjects, who have gone out of this Kingdom at any time since the Tenth day of April, One thousand Six hundred and Eighty nine, During the late War with France, into France, or any of the French King's Dominions in Europe, other then such as have gone thither by his Majesty's particular Licence or Command, shall from and after the Twenty third day of October One thousand Six hundred

hundred and Ninety seven, voluntarily come, or return from France, or any of the French King's Dominions, in Europe, into this Kingdom, without his Majesty's, his Heirs, or Successors, Licence, or Leave, under the Great Seal of this Kingdom, and that also, Subject to the Restrictions and Limitations herein after mentioned and expressed, for that purpose, had and obtained, and be thereof Convicted by due course of Law: Every person so Offending, shall be Taken, Deemed, and Adjudged to be Guilty of High-Treason, and shall suffer such Penalties, as in Cases of High-Treason, and shall, and may be Indicted, and Tried for the same, in such County of this Realm, as his Majesty, his Heirs and Successors, by his, or Their Commission, under the Great Seal of this Kingdom shall appoint.

And be it further Enacted and Declared, That no Licence, as aforesaid, shall be good, and vali'd to any such person or persons, wherein the true Name, and Sir-name, and place of Abode, of such person or persons, where he, or they Resided, or Dwelt in Ireland, when he or they Dwelt, or Resided in this Kingdom, is not mentioned and expressed.

And that no Licence, as aforesaid, shall be vali'd, or effectual to any more persons therein contained, then the Three first named, in Case there shall be more then Three named in one Licence.

And that before any such Licence shall pass the Great Seal of this Kingdom, the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal of this Kingdom, for the time being, are respectively hereby Directed, Required,
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and Impowered, to take sufficient Security by Recognizance, for any Summ, not under One hundred pounds, to be forthwith Filed of Record in the High-Court of Chancery in this Kingdom. That each party so to be Licenced, as aforesaid, shall annually pay during his Residence, and Abroad in this Kingdom, to the Bishop of the Diocess where such person shall Reside, whilst in this Kingdom, the Summ of Forty Shillings for the Benefit, and Advantage of such School, or Schools, as the said Bishop shall think most in want of Support and Maintenance, in the said Bishop's Diocess: Upon Failure and Payment whereof, it shall, and may be Lawful, to and for the Bishop of the said Diocess, to Prosecute and Recover the said Summ, in the said Recognizance mentioned, and the same to lay out, and Dispose of, with the Approbation of the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal of this Kingdom, for the time being, for the Benefit and Advantage of such School or Schools in the said Diocess.

And be it further Enacted by the Authority aforesaid, That all and every of His Majesty's Subjects, who at any time since the Third day of October, One thousand Six hundred and Ninety one, hath, or have returned out of France, or out of any of the French King's Dominions in Europe, into this Kingdom, shall on, or before the First Day of May, One thousand Six hundred Ninety eight, Surrender him, or themselves, to some One of the Judges of His Majesty's Court of King's-Bench, or Common-Pleas, or to some One of the Barons of His Majesty's Court of Exchequer, and being of the Age of
Sixteen

Sixteen Years, take the Oath of Allegiance, mentioned in an Act made in England, in the Third Year of his present Majesty, and the late Queen Mary, Intituled, An Act for the Abrogating the Oath of Supremacy in Ireland, and Appointing other Oaths. And enter into Recognizance with Sufficient Sureties, for his or their Good Behaviour, for One Year thence to come; which said several Recognizances, shall be returned into his Majesty's Court of King's Bench, within Three Months next after they shall be taken, or shall enter into such Security, as the said Judges, or Barons respectively shall think fit to require, that he, she, or they unless Licenced in manner and form aforesaid, by his Majesty to continue here shall within Twenty days Depart this Kingdom, and not return into the same, without such Licences aforesaid.

And in Case, any of his Majesty's said Subjects, shall neglect or refuse to surrender him, her, or themselves, and to take the said Oaths, and to give such Security for their Good Behaviour, or that shall not depart this Kingdom accordingly; every person so neglecting, or refusing, shall incur the Danger and Penalty of Premunire; and every person so returning without such Licence, as aforesaid, shall incur the Danger and Penalty of High-Treason, and shall suffer such Pains and Penalties as in Case of High-Treason, and shall, and may be Indicted, and Tried for the same, in such County of this Kingdom, as his Majesty by his Commission under the Great Seal, of this Kingdom, shall appoint.

And

And be it further Declared and Enacted by the Authority aforesaid, That all and every the Estates, Rights, Titles, and Interests, either in Law or Equity, in, or to any Lands, Tenements, or Hereditaments, of any person or persons being of the Protestant Religion, or professing to be of the Protestant Religion, on, or before the Twenty Seaventh day of July, One thousand Six hundred Ninety Seaven, and hath continued so from that time hitherto, or till the time of his or their Death, shall be, and remain of such force and effect in Law or Equity, respectively, and no other then if this Act had not been made, any thing in this Act contained to the contrary notwithstanding.

Provided always, and be it further Enacted and Declared, at the humble and Earnest Request of James Earl of Tyrone, That nothing in this Act contained, shall extend, or be construed to extend, to Confirm the Outlawry, or Outlawries of the said James Earl of Tyrone, by the Name of James Power, of Curraghmore, in the County of Waterford, Esquire, but that the same shall be subject and liable to such Order and Directions for Reversal thereof, as his Majesty shall please to Declare, touching and concerning the same, as if this Act had never been made, any Clause, matter, or thing therein contained to the contrary notwithstanding.

And Whereas, Thomas Lord Baron of Kerry, and John Lord Baron of Kingston, have both of them been in France since the said Third day of October, One thousand Six hundred Ninety one, and have also since that time returned into this Kingdom, and submitted themselves to his Majesty's Obedience and Government.

Be

Be it Enacted by the Authority aforesaid, at the Humble and Earnest Request of the said Thomas Lord Kerry, and the said John Lord Kingston, That nothing in this Act contained, shall extend, or be construed to extend, to their, or any of their Prejudice, or Prejudices, but that they, and each of them, are hereby Declared to be Excepted out of this Act, any thing therein contained to the contrary notwithstanding.

Provided always, That nothing herein contained shall extend, or be construed, taken, or expounded to extend, to Attaint Mathew Plunkett, Esq; commonly called Lord Lowth, who Died during the late Rebellion in this Kingdom, before the Third day of October, One thousand Six hundred Ninety one, any thing in this Act contained to the contrary notwithstanding.

Provided always, and be it further Declared and Enacted, That nothing in this Act contained, shall extend, or be construed to extend, to Confirm the Outlawry or Attainder of Edmond Keating, of Narramore, in the County of Kildare, Esquire, nor to abridge, or restrain his Majesty's Power of Pardoning him, the said Edmond Keating, both as to Life and Estate any thing contained in this Act to the contrary notwithstanding.

Provided always, And be it Enacted by the Authority aforesaid, That nothing in this Act contained, shall Extend, or be Construed to Extend, to Confirm the Outlawry or Outlawries, Attainder or Attainders, of Sir John Bellew, Knight, late Lord Bellew Baron Duleeke, Father of Richard Bellew, Esquire; Charles Lord Baltimore, and Robert Feilding, Esquire, or either of them, for any Crime, or Crimes, Committed, or Done by them, or either of them, since the

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Fifth

Fifth Day of November, one thousand Six hundred Eighty eight; but that the same shall be Subject, and Liable to such Orders and Directions, for Reversal thereof, as his Majesty shall please to Declare, touching and concerning the same, as if this Act had not been made, any Clause, Matter, or Thing, therein contained to the contrary notwithstanding.

Provided, that nothing in this Act contained, shall Extend, or be Construed to Extend, to Attaint, or Convict of High-Treason, Nicholas late Earl of Carlingford, or his Brother John Taafe, Esquire; or to Vest in, or Forfeit to Your Majesty, Your Heirs, or Successors, any Estate, Right, Title, or Interest in Law, or Equity, Whatsoever; which they the said Nicholas late, Earl of Carlingford, or the said John Taafe, had, or ought to have had, any thing in this Act, contained to the contrary notwithstanding.

Provided always, That nothing in this Act contained, shall Extend, or be Construed to Extend, to Confirm the Outlawry or Outlawries, Attainder or Attainders, of Nicholas French of Abbart, in the County of Gallway, Esquire, for any Crime Committed, or Done by him, since the Fifth Day of November, One thousand Six hundred Eighty eight, but that the same shall be Subject and Liable, to such Orders and Directions, for Reversal thereof, as his Majesty shall please to Declare, touching and concerning the same, as if this Act had not been made, any Clause, Matter, or Thing therein contained to the contrary thereof notwithstanding.

Provided also, that nothing herein contained, shall Extend, or be Construed to Extend, to Confirm the several Outlawries, and Attainders, of Edward Lord Baron of Athenree; and Lieutenant

tenant Collonel John Kelly, or either of them, for any Crime, or Crimes Committed, or Done by them, or either of them, since the Fifth Day of November, One thousand Six hundred Eighty eight; but that the same shall be Subject, and Liable to such Order and Directions, for Reversal thereof, as His Majesty shall please to Declare, touching and concerning the same, as if this Act had not been made, any Clause, Matter, or Thing therein contained, to the contrary thereof notwithstanding.

Provided always, that nothing herein contained, shall Extend or be Construed, Taken or Expounded, to Extend, to Attaint Richard late Earl of Tyrone; Theobald late Lord Viscount Dillon, and Nicholas late Lord Viscount Nettervil, who Dyed during the late Rebellion in this Kingdom, before the Third Day of October, One thousand Six hundred Ninety one, or any of them, any thing in this Act contained, to the contrary notwithstanding.

Provided always, that nothing in this Act contained, shall Extend, or be Construed to Extend any ways, to Confirm the Attainders, or Outlawry, of Edward Geoghegan of Castletown, Kindaleene, in the County of Westmeath, Esq; or to Obstruct, or hinder his Majesty's Gracious Intentions for the Reversal of the same.

Provided always, that nothing in this Act contained, shall Extend to Abridge, or Restraine His Majesty's Power of Pardoning any Person Attainted of High-Treason, by Outlawrie, or otherwise, so as to save the Lives only of such person or persons.

And Whereas Patrick Sarsfield the Elder, late of Lucan, Esq; Deceased, stands Indicted, and Outlawed for High-Treason, Committed against His
present

present Majesty, and her late Majesty Queen Mary.

Be it Enacted, that nothing in this Act contained, shall Extend, or be Construed to Extend in any wise, to Confirm the said Outlawry, or Attainder, of the said Patrick Sarsfield the Elder; but that the said Attainder, or Outlawry, may be capable of being Reversed in the same Manner, as if this Act had never been made.

Provided always, that nothing in this Act contained, shall Extend, or be Construed to Extend in any wise, to Confirm the Outlawry or Attainder, or Outlawries or Attainders, of Henry Crofton of Longford, in the County of Sligo; but that the said Outlawry or Attainder, or Outlawries or Attainders, may be capable of being Reversed in the same manner, as if this Act had never been made.

Provided always, that nothing in this Act contained, shall Extend, or be Construed to Extend to Confirm the Outlawries or Attainders, of Barnaby late Baron of Upper-Ossery; but that the same may be capable of being Reversed in the same manner, as if this Act had never been made.

Provided always, That nothing in this Act contained, shall extend, to confirm the Outlawry, or Outlawries, Attainder or Attainders, of Thomas Nugent, of Streamestown, in the County of Westmeath, *Sent. alias*, Thomas Nugent, of London, Merchant, *alias*, Thomas Nugent, of Montserrat, in America, Merchant, but that the said Thomas Nugent, his Heirs, Executors, and Administrators, shall, and may, have such, and the like Remedy, Benefit, and Advantage, to all intents and purposes, for reversing such Outlawry, or Outlawries, Attainder, or Attainders, as if this Act had never been made, any Clause, Article, or Matter, herein contained to the contrary, in any wise, notwithstanding.

FINIS.

A N

A C T

For making the

Collectors Receipts

For Quit-Rent, Crown Rent, and
other Rents Due to the Crown, Full
and Legal Discharges for the same; and
for Limitting their Fees thereon.

A N

A C T

For taking away the

Benefit of Clergy

IN SOME

C A S E S.



D U B L I N :

Printed by *Andrew Crook*, Printer to the King's Most Excellent Majesty, on *Cork-Hill*, near *Copper-Alley*, 1697.

ACT

For making the

Collectors Receipts

For Quit Rent, Crown Rent, and
other Rents Due to the Crown, Full
and Legal Discharges for the same, and
for Limiting their Fees thereon.

ACT

For taking away the

Benefit of Clergy

IN SOME

CASES



DUBLIN

Printed by Andrew Crook, Printer to the King's Most Excellent Majesty, on Cork Hill, near Cooper's Alley, 1837.

An A C T for making the Col-
lectors Receipts for Quit-Rent, Crown-Rent,
and other Rents due to the Crown, full
and legal Discharges for the same; and for
Limitting their Fees thereon.

C H A P. XXXI

WH E R E A S the several and respec-
tive Farmers of the Revenue of
this Kingdom, since the Restaura-
tion of his late Majesty King Charles the
Second; and the several Commissioners appoin-
ted since, for the management of the said Re-
venue, have thought fit for several weighty Con-
siderations, to Collect and Levy the Quit-Rent,
Crown-Rent, Composition, and all other Rents
due to the Crown, by Collectors, by them ap-
pointed, in the several Districts of this King-
dom, which was principally intended for the Ease
of the Subject, by saving them the Trouble,
Danger, and Expence, of sending their Money
to Dublin, to be there paid into the Treasury.

And Whereas several Scruples have Arisen,
amongst his Majesty's good Subjects, which
have made them doubt, whether the Acquitan-
ces given by such Collectors, were, or ought to
be sufficient Discharges to the Persons who
have paid the said Rents, against his Majesty,
in any Prosecution made in his Name, in the
Court of Exchequer, or elsewhere; for Levying
and Recovering thereof, in case the said Collectors
who

who have Received the same, have not duly Accounted for such Receipts with his Majesty, as in Duty they ought: For Remedy whereof,

Be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, that the several Acquittances already given by the Collectors, or Receivers, duly Authorized and Appointed to Collect, and Receive the said Quit-Rent, Crown-Rent, Composition-Rent, and other Rents: As also all Acquittances that hereafter shall be given by any such Collector, or Receiver, during the time the said Collectors were, are, or shall be so Employed, shall be Good, and Valid in Law, to all Intents and Purposes, against his Majesty, his Heirs and Successors. And that all such Acquittances so given, or hereafter to be given, shall be as Good and Effectual, to all Intents and Purposes, as an Exchequer Acquittance duly Passed and Entered in the several Offices of the Exchequer.

And be it further Enacted, That all and every the Collector, and Collectors of the aforesaid Rents, shall upon Payment of the same, or any part thereof, give and perfect to the person so paying the same, a full and Clear Receipt, or Acquittance, for what he shall receive, in Parchment, under his Hand; wherein he shall mention the Summ so by him Received, and for what Sales Rent, and for what Land, and on what Account the same is paid to him. And for the Encouragement of the said Collectors to do their Duty therein, with all due Regard and Indulgence to the Country. And to prevent the Extortions and
Op=

Oppressions which may be committed by their Bailiffs, or Drivers, on the Tenants liable to pay such Quit-Rent, Crown-Rent, Composition-Rent, or other Rent.

Be it further Enacted by the Authority aforesaid, That the said Collectors, and every of them, may demand and receive the respective Fees hereafter mentioned, and no more, or other Fee: That is to say, for every Acquittance they shall give for any of the said Rents, for any Summ above five Shillings, and not exceeding Twenty Shillings, the Summ of Six pence, and no more, and for every Summ above Twenty Shillings, and not exceeding five pounds, the Summ of One Shilling and no more, and for every Summ above five pounds, and not exceeding fifteen pounds, the Summ of One Shilling Six pence, and no more, and for every Summ above fifteen pounds, the Summ of Two Shillings, and in no case to receive any more for any one Acquittance then Two Shillings.

And whereas several persons stand Charged with, or are Obligated to pay several Rents, for several Parcels of their Lands and Tenements, the same being Granted under several and distinct Rents, to themselves, or others, under whom they Claim, for which formerly, several Acquittances used to be given, the paid at the same time, and by the same person, for which said several Acquittances, distinct Fees have been paid, to the great Charge of the Subject; for Remedy whereof.

Be it further Enacted by the Authority aforesaid, That where one person stands Charged with the Payment of several and distinct

Summs,

Summis, in respect of severall Parcels of their Lands and Tenements, or where the same is in Charge, in the name of other persons, not in possession of such Lands, the severall Collectors of this Kingdom, within their respective Districts, shall on Receipt of the said Rents, or any part thereof, give to the person so in possession, as aforesaid, and so paying the same, One Acquittance for what he shall so pay, which Acquittance shall distinctly mention, as well the Lands and Tenements, as the Rent so paid, and for what Sale the same is so paid, and by whom, for which One Acquittance the said Collectors shall receive no other, or greater fee then as aforesaid, And whereas, the severall Acquittances to be made and given pursuant to this Act, may be lost or mislaid, to the prejudice of the person therein concerned: For prevention whereof.

Be it further Enacted by the Authority aforesaid, That all and every the Collector and Collectors of this Kingdom, shall every Year, prepare a Book, wherein they shall Enter all the Receipts or Acquittances by them given, for all and every the aforesaid Rents, under their hands, and in the presence of the party paying the same, which Receipts the said parties, or any other on this behalf, may set their Names; for every which Entry the said Collectors may demand and receive Two pence over and above the Fee aforesaid; which Book, the said Collectors, and every of them respectively, shall yearly, before the making of their Accounts, return under their hands, and on their Oaths, into the Office of the Auditor General, where the same shall

shall remain and be kept, not only as a Charge on such Collectors respectively, but also as a Discharge to the Subject, for all Summs thereby appearing to be paid as aforesaid.

An ACT for taking away the Benefit of Clergy in some Cases.

CHAP. XXXII.

FORASMUCH as divers wicked, and ill-disposed Persons, are Encouraged to Commit Robberies upon Mens Persons, and in their Houses, and other Offences, by the Priviledge, as the Law now is, of Demanding the Benefit of the Clergy.

Be it therefore Enacted by the Kings most Excellent Majesty, and by, and with the Advice, and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same; That all and every person, or persons that shall and at any time, from, and after the first day of May, in the Year of Our said One thousand Six hundred Ninety eight, Rob any other person, or shall feloniously take away any Goods or Chatties, being in any Dwelling-house, the Owner, or any other person being therein, and put in fear; or shall Rob any Dwelling-house in the Day time, any person being therein; or shall Commit and Abet, Assist, Counsel, Hire, or Command, any person or persons, to Commit any of the said Offences; or to break any Dwelling-house, Shop,

or Ware-house, therunto belonging, or therewith
 used in the Day time, and feloniously take away
 any Money, Goods, or Chattels, of the value of
 five Shillings, or upwards therein being, altho
 no person shall be within such Dwelling-house,
 Shop, or Ware-house; or shall Counsel, Hire,
 or Command any person to Commit any Bur-
 glary, being thereof Convicted, or Attainted,
 or being Indicted thereof, shall stand mute, or
 will not directly Answer to the Indictment; or
 shall peremptorily Challenge above the Number
 of Twenty persons, returned to be of the Ju-
 ry, shall not have the Benefit of his, or their
 Clergy.

And be it further Enacted by the Authority
 aforesaid, That if any person or persons what-
 soever, be Indicted of any Offence, for which,
 by Virtue of any former Statute, he, or they
 are Excluded from having the Benefit of his,
 or their Clergy, if he or they, had been thereof
 Convicted by Verdict, or Confession; such person
 and persons, if he, or they stand mute, or will
 not Answer directly to the Felony; or shall Chal-
 lenge peremptorily above the Number of Twen-
 ty persons, returned to be of the Jury; or shall
 be Out-lawed thereupon, shall in like manner
 be Debarred of the Benefit of his, or their Clergy,
 as if he had been Convicted of such Offence, by
 Verdict, or Confession.

And be it further Enacted by the Authority
 aforesaid, That if any person or persons here-
 after be Indicted of Felony, for Stealing any
 Goods or Chattels, in any County within this
 Realm of Ireland, and thereof be Convicted, or
 Attainted; or upon his, or their Arraignment
 shall stand mute, or will not directly Answer

1588. Anno 9. Henrici 8. Regis Ang. et Franc. 20
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to the Indictment; or shall Challenge peremptorily above the Number of Twenty persons, returned to be of the Jury, he, or they, shall be totally Excluded from having the Benefit of his or their Clergy. If it appear upon Evidence, or Examination, before the Justices, that the said Goods, or Chattles, were taken by Robbery, or Burglary, or in any other manner, in any other County; Whereof, if such person or persons, had been Convicted by a Jury of the said other County, he, or they, are Excluded by Vertue of this, or any other Act, from having the Benefit of his, or their Clergy.

And forasmuch, as Thieves and Robbers, are much Encouraged to Commit such Offences, because a great Number of persons make it their Trade, and business, to deal in the buying of stolen Goods.

Be it therefore Enacted by the Authority aforesaid, That if any person or persons, shall Buy or Receive any Goods or Chattle, that shall be Feloniously taken or stolen from any other person, knowing the same to be stolen, he, or they, shall be taken and deemed an Accessary or Accessories to the Felony after the Fact, and shall incur the same Punishment as an Accessary, or Accessories to the Felony, after the Felony Committed.

And Whereas, it is a frequent practice for Idle and Disorderly persons, to hire Lodgings, with an Intent to have an Opportunity to take away, Imbezle, or Purloin the Goods and Furniture, being in such Lodgings.

We it therefore Enacted and Declared by the Authority aforesaid, That if any person or persons shall take away, with an intent to steal, imbezle, or purloin, any Chattle, Bedding, or Furniture, which by Contract or Agreement, he, or they are to use, or shall be Lett to him, or them to use, in, or with such Lodging, such tacking, Imbezling, or purloining, shall be to all Intents and Purposes, taken, reputed, and adjudged to be Larceny and Felony, and the Offender shall suffer as in Case of Felony.

And whereas by the Lawes of this Realm, Women Convict of Felony for Stealing of Goods and Chattle, of the value of Ten Shillings, and upwards, and for other Felonies, where a Man is to have the benefit of his Clergy, are to suffer Death.

We it therefore Enacted and Declared by the Authority aforesaid, That where a Man, being Convicted of any Felony, for which he may demand the benefit of his Clergy, if a Woman be Convicted for the same, or like Offence, upon her Prayer to have the Benefit of this Statute, Judgment of Death shall not be given against her upon such Conviction, or Execution, Awarded upon any Outlawry for such Offence, but shall suffer the same Punishment as a Man should suffer, that has the benefit of his Clergy allowed him in the like Case; that is to say, shall be Burn'd in the Hand by the Goaler, in open Court, and further be kept in Prison, for such time as the Justices in their Discretion, shall think fit, so as the same do not exceed One Year's Imprisonment.

And forasmuch as such Men who have once had their Clergy, and such Women who shall once have the Benefit of this Statute, may happen to
be

be Indicted for an Offence Committed after-
wards in some other County.

Be it therefore Enacted, That the Clerk of
the Crown, Clerk of the Peace, or Clerk of
the Assizes, where such Man or Woman shall
be Convicted, shall at the request of the Pro-
secutor, or any other in his Majesty's behalf,
certifie a Transcript Briefly, and in few Words,
containing the effect and Tenor of every Indict-
ment and Conviction, of such Man or Woman,
of his having the benefit of the Clergy, or not
having the benefit of this Statute, and Addition
of every such person or persons, and the cer-
tainty of the Felony, and Conviction to the
Judges and Justices in such other County where
such Man or Woman shall be Indicted; which
Certificate, being produced in Court, shall be
a sufficient Proof that such Man hath before
had the benefit of his Clergy, and such Wo-
man hath had the Benefit of this Statute.

And forasmuch as since the late Rebellion
in this Kingdom, the stealing of Cows, Sheep,
and other Cattle, hath been more frequent then
heretofore, so as it is become necessary, in Order
to prevent the Committing Offences of that kind,
that the Benefit of the Clergy should for some
time be taken away from such Offenders.

Be it Enacted by the Authority aforesaid,
That if any person or persons, shall from, and
after the said First day of May, in the Year
of Our Lord One thousand Six hundred Nine-
ty eight, Feloniously steal, or take away, any
Cow, or Cows, Sheep, or other Cattle, and
shall be thereof Convict by Verdict, or Con-
fession, or shall stand mute, and will not Di-
rectly answer to the Felony, or shall Challenge
Per=

Peremptorily, above the number of Twenty persons, or shall be Outlawed thereupon, such person or persons, if such Offence shall exceed the Crime of Petty Larceny, or the Cattle stolen shall be of greater Value then Twelve pence, Sterling, shall not be allowed the Benefit of his or their Clergy, but be wholly Dusted from the same.

Provided always, That this Act shall continue, and be in force, as to the Stealing of such Cows, or Cows, Sheep, or Cattle, for Three Years next ensuing, and no longer.

FINIS.

A N
A C T
FOR
Granting a Supply
TO HIS
MAJESTY,
BY
Raising Money by way of a
P O L L.



D U B L I N:

Printed by *Andrew Crook*, Printer to the King's
Most Excellent Majesty, on *Cork-Hill*, near
Copper-Alley. MDCXCVII.

A C T

FOR

Granting a Supply

TO HIS

M A J E S T Y

BY

Raising Money by way of a

P O L L



D O U B L I N

Printed by Andrew G. King, Printer to the King's
Most Excellent Majesty, on Cork-Hill, near
Copper-Alley. MDCXXVII.

An ACT for Granting a supply to His Majesty, by raising Money by way of a POLL.

CHAP. XXXIII.

WE Your Majesty's most Dutiful and Loyal Subjects, the Commons of IRELAND in Parliament Assembled, having a grateful sense of the Benefits we enjoy under the Auspicious Reign of our great Deliverer and Defender, with all Thankfulness and Humility, own Your Majesty's Goodness towards us, and Your Indefatigable Pains and Care for our Safety: And taking into our Consideration, that many Debts Contracted by Your Majesty for our Security and Preservation, remain unpaid, through a Deficiency of Your Majesty's Established and Settled Revenue to discharge the same. As a further Acknowledgment of the Sincerity and Loyalty of our Hearts, We most humbly Present Your Majesty a Free Gift of the several Sums hereafter following, to be Levied in manner herein-after expressed; for, and towards the payment and discharge of the Debts and other Ends hereafter particularly mentioned; And do beseech Your Majesty to accept thereof. And that it may be Enacted,

And be it Enacted by the King's most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons

mons in this present Parliament Assembled, and by the Authority of the same, That all and every person and persons of what Age, Sex, or Degree soever, that shall be in this Kingdom at the time of executing this Act, shall pay unto His Majesty Two Shillings, sterl. per ann. To commence from the Sixth day of November, in the Year of Our Lord God, One thousand Six hundred Ninety seaven, except the Wives and Daughters of Day-Labourers, living with their Parents, and the Sons of Day-Labourers who have not attained their Age of Eighteen Years; and also except Widows, who by reason of their poverty, are discharged from paying Hearth-money, and all persons living on Alms.

And be it further Enacted by the Authority aforesaid, That all and every person and persons, who at the time of the execution of this Act, shall be of the several Qualities, Ranks, Orders and Degrees hereafter mentioned, shall Annually pay unto His Majesty the several Sums hereafter in this Act set down and appointed, beside, and over and above their said Annual Poll of Two Shillings, sterl. (That is to say) Every Arch-Bishop of this Kingdom, shall pay the Summ of Fifty pounds, sterl. Every Bishop of this Kingdom, shall pay the Summ of Twenty pounds, sterl. Every Dean of this Kingdom, shall pay the Summ of Ten pounds, sterl. Every Arch-Deacon of this Kingdom, shall pay the Summ of Five pounds, sterl. Every Canon, or Prebendary of this Kingdom shall severally pay the Summ of Fifty Shillings, sterl. Every Doctor of Divinity, Law, or Physick, shall pay the Summ of Five pounds, sterl. Every

Every Person having two or more Benefices, with Cure of Souls, making together One hundred pounds, sterl. or upwards, shall pay Five pounds, sterl. Every person having one Benefice, with Cure of Souls, of the Yearly Value of One hundred pounds, sterl. shall pay Three pounds, sterl. Every person having one or more Benefice or Benefices, with Cure of Souls, of the Yearly Value of Fifty pounds, sterl. and under a hundred pounds, Yearly Value, shall pay the sum of One pound, sterl. and no more. Every person having a Sine Cure, or Benefice, without Cure of Souls, of the Yearly Value of One hundred pounds, sterl. shall pay the sum of Ten pounds, sterl. and so after the Rate proportionably for any greater or lesser Sine Cure, or Benefice without Cure of Souls, being under or above the Yearly Value of One hundred pounds, sterl. Every Parson or Incumbent, having but one Benefice with Cure of Souls, and not residing thereon, or having more Benefices then one, with Cure of Souls, and not residing on any one of them, shall pay for every such Benefice of the Yearly Value of One hundred pounds, sterl. the sum of Ten pounds, sterl. and after that Rate proportionably for every greater or lesser Benefice. And every Parson, or Vicar, having any Benefice or Benefices, with Cure of Souls, under the Yearly Value of Fifty pounds, sterl. shall pay the sum of Ten shillings. Every Chancellor of a Diocels, or Vicar-General, shall pay five pounds sterl. Every Register of a Diocels, shall pay the sum of Two pounds ten shillings sterl. Every Chancellor of a Cathedral, shall pay two pound ten shillings, sterl. Every Dignitary, of
 what

What nature or kind soever, shall pay Two pounds ten shillings, sterl. Every Curate having no Benefice, shall pay Ten shillings, and no more.

And be it further Enacted by the Authority aforesaid, That every person and persons, who at the time of the execution of this Act, shall be of the several Ranks and Degrees hereafter mentioned, and shall be then within this Kingdom, or that hath any Estate in Lands, Tenements, or Hereditaments in the same, shall pay unto his Majesty the several Sums of Money hereafter in this Act set down and appointed. (That is to say) Every person of the Degree of a Duke, of this Kingdom, shall pay the Summ of Fifty pounds, sterl. Every person of the Degree of a Marquess, having any Estate in this Kingdom, shall pay Forty pounds. Every person of the Degree of an Earl, inhabiting, or residing in this Kingdom at the time of the execution of this Act, or having any Estate in the same, shall pay the Summ of Thirty pounds, sterl. Every person of the Degree of a Viscount, that shall be in this Kingdom at the time of the execution of this Act, or that hath any Estate in the same, shall pay the Summ of Twenty five pounds, sterl. And that every person being of the Degree of a Baron, of this Kingdom, who shall be in the same at the time of the execution of this Act, or that hath any Estate in this Kingdom, shall pay the Summ of Twenty pounds, sterl. And that every person being eldest Son of such Duke, who is Charged fifty pounds, as aforesaid, shall pay Thirty pounds, sterl. Every younger Son of such Duke, so Charged

ged, as aforesaid, shall pay the sum of Twenty five pounds, sterl. Every eldest Son of such Marquess, as is before Charged, shall pay the sum of Twenty five pounds. Every younger Son of such Marquess, shall pay the sum of Twenty pounds, sterl. Every eldest Son of such Earl, as is before Charged with Thirty pounds sterl. shall pay the sum of Twenty pounds sterl. Every younger son of such Earl, as is Charged as aforesaid, the sum of Fifteen pounds sterl. Every eldest son of such Viscount, Charged by this Act with the payment of Twenty five pounds sterl. shall pay the sum of Seventeen pounds ten Shillings sterl. Every younger son of such Viscount, so Charged as aforesaid, shall pay the sum of Thirteen pounds six Shillings and eight pence. Every eldest son of such Baron, as is before Charged by this Act with the payment of the sum of Twenty pounds sterl. shall pay the sum of Fifteen pounds sterl. Every younger son of such Baron, so Charged as aforesaid, shall pay the sum of Twelve pounds sterl. Every woman having the Title of a Peeress of this Kingdom, or who takes place as such by Descent, or by any Grant from His Majesty, or any of his Predecessors, having any Estate in Lands, Tenements, Hereditaments, or otherwise in this Kingdom, or that shall be in this Kingdom at the time of the execution of this Act, shall pay equal with any Peer of the same Degree. Every Widow of a Noble man, though Married to a Commoner, shall pay one full third part of what her former husband, whose Relict she was, should or ought to have paid, had he been living. Every Baronet of England,

Scotland,

Scotland, or Ireland, or Nova Scotia, and every Knight of the Bath, residing in this Kingdom at the time of the execution of this Act, or having any Estate in Lands, Tenements, or Hereditaments in this Kingdom, shall pay the sum of Fifteen pounds sterl. Every person of the Degree of a Knight Batchellor, shall pay Ten pounds sterl. Every person of the Degree of an Esquire, or so reputed, or owning, or writing himself such (other then such as are reputed Esquires for having been, or being Mayor, or Sheriffs, or Members of any Corporation) and every person that is, or hath been a Member of the House of Commons, or born, or doth bear the Office of a Sheriff, or Justice of the Peace, or Deputy Lieutenant, residing in this Kingdom at the time of the execution of this Act, or having any Estate in Lands, Tenements or Hereditaments within this Kingdom, shall pay the sum of Five pounds sterl. Every reputed Knight, Baronet, Baron, Viscount and Earl, or who shall call or stile themselves so, shall pay the same sum as they should have been lyable to pay if they really were of that Quality. Every Gentleman, or reputed Gentleman, or owning himself, or writing himself such, inhabiting, or residing in this Kingdom, or having any Estate in Lands, Tenements or Hereditaments in this Kingdom, shall pay the sum of Five and twenty shillings sterl. Except Gentlemen who shall not be worth Twenty pounds sterl. at the execution of this Act, shall pay Five shillings sterl. and no more. Every Widow respectively residing in this Kingdom, or having any Estate within the same, shall pay One third part Rated by this Act on that
that

that Degree of which the husband of such Widow was in his life-time.

And be it further Enacted, That every Person under the Degree of a Baron, being worth One hundred pounds in Goods, Chattels, or other Personal Estate, shall pay Five Shillings; and that every Person as aforesaid, worth in Personal Estate of any kind, Two hundred pounds Sterling, shall pay Ten Shillings; and every Person worth Three hundred pounds in Personal Estate, as aforesaid, shall pay Fifteen Shillings; and every person worth four hundred pounds in personal Estate as aforesaid, shall pay One pound Sterl. and every Person worth five hundred pounds in Personal Estate as aforesaid, shall pay One pound five Shillings; every Person having in Personal Estate as aforesaid, to the Value of One thousand pounds, or upwards, shall pay the sum of five pounds sterl. Every Tenant, or Farmer of this Kingdom, who payeth not a greater Rent then Ten pounds sterl. per ann. and every Shop-keeper Tradesman, or Artificer, not worth Ten pounds in Substance, shall pay for no more Children under the Age of Sixteen years, then two. Every Tenant, or Farmer, paying above Ten pounds per ann. Rent, shall pay the sum of Two Shillings and Six pence. Every Tenant, or Farmer, paying above Twenty pounds, per ann. Rent, shall pay the sum of five Shillings. Every Tenant, or Farmer, paying above Forty pounds Rent, per ann. shall pay the sum of Ten Shillings. Every Tenant, or Farmer, paying above Sixty pounds per ann. Rent, shall pay the sum of Fifteen Shillings. Every Farmer, or Tenant paying One hundred pounds per ann. Rent,

or upwards, shall pay the sum of One pound. Every Trades-man or Shop-keeper, that is worth Twenty pounds, or upwards, in Personal Estate, shall pay the sum of Two Shillings and Six pence. Every Trades-man, or Shop-keeper worth Fifty pounds, or upwards, in Personal Estate, shall pay Five Shillings. Every Shop-keeper, or Trades-man, worth One hundred pounds, or upwards, in Personal Estate, shall pay Ten Shillings. Every Trades-man or Shop-keeper, worth Two hundred pounds in Personal Estate, shall pay Fifteen Shillings. Every Trades-man or Shop-keeper, worth Three hundred pounds, shall pay One pound. Every Trades-man, or Shop-keeper, worth Four hundred pounds in Personal Estate, shall pay One pound Five Shillings. Every Gray-Merchant, Merchant-Traveller, or Pedler, who usually Travels with an horse, shall pay One pound. Every Gray-Merchant, Merchant-Traveller, or Pedler, who usually Travels without an horse, shall pay Ten Shillings. Every Person in Orders of the Romish Religion, shall pay Twelve Shillings and Six pence. And that all and every Person, except Widemen, Children under the Age of Sixteen, and such as pay Two Shillings, and no more, who have not already taken the Oaths, and Subscribed the Declaration herein-after mentioned to His Majesty: And who shall not voluntarily appear before the Commissioners, or any two or more of them, and take the said Oaths, and make, and subscribe the Declaration herein-after mentioned; which Oath, any two or more of the Commissioners in this Act named, are hereby Impowered and Required to Administer, and make an Entry or
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Memorandum thereof, and of making and Subscribing the said Declaration in some Book, to be kept for that purpose: Every such Person who shall neglect to appear, or shall not take the Oath, and make, and Subscribe the Declaration as aforesaid, shall be charged with, and shall pay to His Majesty double the summs, which by Force or Vertue of any Clause in this Act, he should or ought to pay, or be charged with; to be Levied, Collected, Answered, Recovered and paid, in such manner, and by such Ways and means, as are in this Act expressed and appointed, for, and concerning the Rates and summs hereby intended to be Doubled as aforesaid.

Provided, nevertheless, That whereas certain Persons, Dissenters from the Church of England, commonly called Quakers, and now known to be such, do scruple the taking any Oath, it shall be sufficient for every such Person to make and subscribe the following Declaration.

I A, B. do Sincerely Promise, and Solemnly Declare, before God and the World, That I will be True and Faithful to King WILLIAM.

And I Solemnly Profess and Declare, That I do from my Heart Abhor, Detest, and Renounce, as Impious and Heretical, that Damnable Doctrine and Position that Princes Excommunicated, or Deprived by the Pope, or any Authority of the See of ROME, may be Deposed or Murdered by their Subjects, or any other person whatsoever. And I do Declare that no Foreign Prince, Person, Prelate, State, or Potentate, hath, or ought to have any Power, Jurisdiction, Superiority, Preheminence, or Authority Ecclesiastical or Spiritual within this Realm.

Which

Which Declaration, any two or more of the Commissioners appointed for the Execution of this Act, are hereby Impowered and Required to take: And such Person making, and Subscribing the Declaration, shall not be Liable to, or chargable with any of the Double Rates aforesaid.

And be it further Enacted by the Authority aforesaid, That the several Sums of Money, so as aforesaid, Limited and Appointed to be paid, shall be Due and Payable for Two Years, Commencing the first Day of November, One thousand Six hundred Ninety seven, and be Collected Quarterly by four equal Payments; the first Payment to be made on the Second Day of February, in the Year of our Lord, One thousand Six hundred Ninety seven; the Second Payment to be made on the Second Day of May, in the Year of our Lord, One thousand Six hundred Ninety eight; the Third Payment to be made on the Second Day of August, in the Year of our Lord, One thousand Six hundred Ninety eight; and the Fourth Payment to be made on the Second Day of November, which will be in the Year of our Lord God, One thousand Six hundred and Ninety eight; the Fifth Payment to be made on the Second Day of February, which will be in the Year One thousand Six hundred and Ninety eight; and Sixth Payment on the Second Day of May, in the Year One thousand Six hundred and Ninety nine; the Seaventh Payment to be made on the Second Day of August, in the Year One thousand Six hundred and Ninety nine; and Eighth and Last Payment to be made on the Second Day of November, in the said Year, One thousand Six hundred and Ninety nine.

And

And be it further Enacted by the Authority aforesaid, That for the better Assessing, Ordering, and Levying of the several Sums of Money, as aforesaid Limited and Appointed to be paid, and for the more effectual putting this Act in Execution, all, and every the Persons hereafter named, shall be Commissioners of, and for the several and respective Counties, Cities, Towns, and Places, hereafter named, for putting in Execution this present Act, and the Powers therein contained, in the Counties, Cities, Towns, and Places, (That is to say)

For the County of Armagh.

The High-Sheriff for the time being, Sir Nicholas Acheson, Bar. Sir Henry Tichburne, Bt. Arthur Brownlow, Marmaduke Coghill, Samuel Doppin, Stephen Ludlow, Edward Reyly, William Richardson, William Mollineux, Hamlet Obins, Downham Cope, Edward Harrison, John Hamilton, Rich Chappell, William Blacker, Henry Richardson, Walter Dawson, Roger Hall, Henry Hunter, Hans Hamilton, James Maxwell, Richard Whaley, Esquires, The Sovereign of Armagh, for the time being, the Portreeve of Charlemont, for the time being, Rath Jones, Thomas Clarke of Ardress, Daniel Madden, Thomas Bond, James McKean, George Maxwell, John Hamilton of Hamiltons Bawn, Gentlemen, Captain James Manson, Francis Nevill, Esq; William Scott, John Ball, Abraham Ball, Thomas Clarke of Portadown, Gentlemen, John Holtrige, Esq;

For the County of Antrim.

Sir Arthur Longford, Bar. Captain John Chichester

chester, Sir Robert Adaire, Arthur Upton, Hugh Colvill, James mc. Cartney, Edward Harrison, Godfrey Walker, Hercules Davis, Henry Davis, Charles & Neal, Edward Stafford, Thomas Dawson, Robert Dalway, Alexander Dalway, Esquires. The Sovereign of Belfast for the time being, Robert Leafly, George mc. Cartney, Esquires, Edward Brice, Gentleman, Clothworthy Upton, Esq; Arthur mc. Cartney, Edward Clements, Gent. Richard Dob, Junior, Edward Ellis, William Shaw of Ganavay, John & Neal, Henry mc. Collagh, Robert Dovil, Esquires, Doctor John Peacock, Henry Shaw, William Shaw of Balligally, Gentlemen, William Lattly, Benjamin Gallant, Charles Stewart William Shaw of Bush, John Donelson, George Buttle, Esquires, William Crawford and Thomas Crawford, William Thompson, Robert Haran, James Tanas, James Johnston, Cornelius Crumble, John Pierle, John Charlton, William Close, Richard Harrison, Thomas Cornwall, Gentlemen; John Latham, Warham Jemmet, Esquires; James Harrison, Benjamin Adaire, Gentlemen; Samuel Sincly, Edmond Reynolds, John Reynolds, Esquires; James Crawford, Robert Harper, Richard Nuton, Bryan mc. Manus, Patrick Hamilton of Belfast, William Adaire, John Dobbin, William Dobin, James mc. Collagh, James Boyd, Neal Boy mc. Neal of the Henry Andrew, Hugh mc. Cullam, Henry Willoughby, Henry Sheads, Francis Andrew, Andrew mc. Calvey, William Boyd, John Delap, William Boyd, John Michall, Alexander mc. Kay, Alexander Watson, and John Walkinton, Gentlemen.

For the County of the Town of Carickfergus.

The Mayor of Carickfergus for the time being, the

the Sheriffs of the same for the time being, Hercules Davis, Henry Davis, Esquires; and Marmaduke Newton, Gentleman:

For the County of Catherlaugh.

The High-Sheriff for the time being, Sir Thomas Butler, John Allen, Philip Savage, Wentworth Harman, John Tench, Thomas Burdett, Richard Woleffy, Urban Vigors, Edmond Jones, John Beauchamp, John Brown, Esquires; John Dolway, John Bernard, James Cox, Arch-Deacon, Robert Harris, and Thomas Fox, Clerks.

For the County of Cavan.

The Honourable Mr. Justice Coot, Sir Francis Hamilton, Baronet; Francis White, Thomas Ash, Robert Saunders, Francis Butler, John Warburton, Samuel Townly, Thomas Townly, Joseph Pratt, John Maxwell, John Coyne, Robert Clements, Daniel French, Arnold Cosby, Henry Palmer, Charles Hampson, Alexander Sanderson, Edward Davenport, Walter Pollard, Esquires; Dean Enoch Rider, William Handson, Robert Maxwell, Anthony Ivison, Clerks; Robert Craige, Esq; Brockhill Newburgh, Henry Guillyms, Thomas Hemming, Thomas Humes, George Russell, Samuel Wilson, John Robinson, John Price, and Patrick Everey, Gentlemen.

For the County of Clare.

Sir Henry Ingoldsby, Sir Donat o Brian, Baronets; Francis Burton, Esq; Francis Gore, and James Hamilton of Tullymore, the Honourable John

John o Brian, Simon Purden, Henry Bridgeman, Edmond Perry, Thomas Spaight, **Esquires**; John Roan, John Cusack, **Gentlemen**; Mountifort Westrop, William Smith, **Esquires**; John Hawkins, **Clerk**: William Butler, **Esq**; George Calpoys, Patrick Connel, **Gentlemen**; Samuel Burton, Thomas Hickman, George Stammer, David Bendon, Nicholas Westby, **Esquires**; Patrick Fitz-Simmons, **Clerk**; Henry Lee, Walter Hickman, James Mac Donnell, **Esquires**; William Smith, Richard Lee, Henry Hickman, George Hickman of Ballickett, **Gentlemen**; Augustin Fitz-Gerald, **Esq**; William Fitz-Gerald, **Gentleman**; Neptune Blood, **Dean of Kilfenoragh**, and Timothy o Brien of Smithstowne,

For the City of Cork.

Colonel Theobald Purcell, Allen Broderick, **His Majesty's Solicitor General**, Alderman Robert Rogers, Doctor Walter Neale, Mr. Edward Synge, the Mayor and Sheriffs of Cork for the time being, Thomas Piggot, **Esq**; Alderman Newenham, Alderman Howell, William Newstead, **Esq**; Alderman Hore, Alderman Crofts, Alderman Crow, Alderman Charters, John Speed, **Merchant**, Captain William Dunscomb, Captain Epenetus Crois, and Captain John Traverſe.

For the County of Cork.

Sir St. John Broderick, **Knight**, Thomas Broderick, **Esquire**, Allan Broderick, **Esquire**, **His Majesty's Solicitor General**; Henry Boyle, Robert Fitz-Gerald, Edward Southwell, James Walter, Edward Riggs, Francis Bernard, William Jeplon, Laurence Clayton, Edward Denny, John Hayes, Charles

Charles Boyle, John Ormsby, Francis Brewster,
 Charles Oliver, James Barry, Robert Foulks, Percy
 Freake, Brian Townsend, Thomas Beecher, Edward
 Richardson, Samuel Maurice, and Robert Pooley,
Esquires; Sir John Mead, **Knight**; Francis
 Hodder, George Symmes, William Carr, John Dar-
 vis, John Bailly, **Junior**, Thomas Crooke, Edward
 Worth, Richard Traverse, Richard Hutchins, Daniel
 Beanish and John Lee, **Esquires**; the Mayor of
 Youghall, the Sovereign of Kinsale, the Probost
 of Bandon, the Sovereign of Middleton, and the
 Sovereign of Charlevill for the time being; Sir
 Mathew Dean, **Knight**, John Cook, Richard Yeats,
 John Luther, Edward Nicholas, and Jasper Lucas,
Merchants; William Bollard, Nicholas Brumby,
 Richard Wakeham, William Wakeham, Peter Betts-
 worth, Thomas Piggott, John Traverse, John Bowles,
 John Wakeham, William Supple, Samuel Maynard,
 John Montgomery, Stephen Moore, Boyle Ald-
 worth, Emanuel Moore, Henry Tonson, Joseph
 Jervis, Henry Beecher, Anthony Butler, Samuel
 Pomroy, Thomas Purdun, Arthur Hyde, **Captain**
 Elwell, Jonas Stowell, **Senior**, Jonas Stowell, **Ju-
 nior**, and Robert Gookin, **Esquires**; Arthur
 Keefe, Gabriel Solden, **Dr.** Mountiford, Thomas
 Burrowes, and Thomas Chidleigh, **Gentlemen**;
 William Newstead, Robert Couran, Thomas Hyde,
 Edward Dodsworth, and Henry Rice, **Esquires**;
 John Brailsford, Apollos Morris, Barrachias
 Wallis, Walter Croker, Henry Wallis, Charles New-
 man, George Chinery, James Mauferge, William
 Babington, John Silver, Richard Bettsworth, William
 Thornhill, George Rogers, Francis Smith, John VVat-
 kins, and Henry Boreman, **Esquires**, Epenetus Cross,
 John Bailly, **Senior**, John Gilman, John VVallis,
 and Nicholas Lysaght; Arthur Bernard, and VVil-

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liam VVarner, Esquires, and Edward Howse, Gentleman.

For the County of the City of Dublin.

The Lord Mayor, Recorder and Sheriffs for the time being. Master Chancelor of the Exchequer, Mr. Attorney-General, Mr. Solicitor-General, the Commissioners of his Majesty's Revenue of Ireland for the time being, Sir William Billington, Sir Francis Brewster, Sir Humphery Jervis, Sir John Rogerfon, Aldermen John Smith, Alderman George Blackhall, Alderman William Watts, Alderman Bartholomew, Van-humrigh Alderman Thomas Quin, Alderman Anthony Percy, Alderman Marks Ransford, Alderman Samuall Walton, Alderman John Page, Alderman Charles Thompson, Alderman Francis Stoite, Sr John Coghill, Sir Patrick Dunne, Stephen Ludlow, Marmaduke Coghill, Thomas Tilson, Standish Hartstonge, Elnathan Lumm, Edward Wingfield, Robert Molefworth, Edmund Rennell, Edward Richardson, Wentworth Harman, John Redding William Mollineux, Doctor Thomas Mollineux, Robert Peppard, Gideon Delaune, James Mac Cartney, William Handcock the Elder, John Allen, Anderson Saunders, Robert Saunders, Roger Moore, George Warburton, John Warburton, Anthony Towers, James Tisdell, Daniel Wibrants, Benjamin Burton, Charles Delane, Edward Deane, Christopher Usher, John Usher, James Hamilton, of Tullamore and Stephen Stanley, Esquires; Collonel John Lovett, Collonel Robert Ecklin, William Connelly, Collonel Henry Cunningham, Samuel Dopping, Sir Arthur Cole, Abel Ram, Charles Cambell Sir Francis Blundell, Sir Henry Ingoldsby

Ingoldsby, William Neave, Edward Reyly, Hercules Davis, St. Leger Gilbert, **Esquires**; Sir Patrick Dun, **Knight**, Robert Ormsby, John Ormsby, Richard Thompson, Charles Deering, Edward Wingfield, Thomas Brodrick, and William Robinson, **Esqs**; William Cairnes, Ralph Gore, Faustin Cuppaidge, Thomas Twigg, Richard Cooke, VVilliam Keating, Daniel Miles, Robert King, John Rotten, **Gentlemen**; Robert Curtis, and Joseph Budden, **Esquires**; and all the **Members of the House of Commons in and about Dublin.**

For the County of Dublin:

Robert Rochford, **Esq**; Sir Richard Bulckely, Sir Arthur Cole, Sir Richard Bellingham, and Sir Thomas Domville, **Baronets**, Sir John Coghill, Sir William Domville and Sir Walter Plunket, **Knights**; Allan Broderick, Robert Mouldsworth, Edward Deane, John Redding, Thomas Ash, John Tench, Thomas Pooley, John Allen, Denny Mulchamp, Richard Forster, Joseph Deane, **Sent.** George Wallis, Daniel Redding, **Sent.** John Stepny, Robert Peppard, Thomas Keightly, John South, Christopher Carlton, Marmaduke Coghill, Richard Thompson, William Neave, Henry Fernly, Joseph Deane, **Junr.** Joseph Stepny, Richard Morris, Thomas Stepeny, Dixie Coddington, Christopher Usher, John Price, Isaac Dobson, Bernard Brown, George Warburton, Joseph Budden, and Agmundisham Vesy, **Esquires**; Daniel Reading **Junr.** **Sent.** Henry Cooley, William Malineux, Robert Curtis, James Grace and Edward Corker, **Esqs.**

For the County of Donnegall.

The High Sheriff for the time being, Sir William Gore Baronet, Colonel Gustavus Hamilton Colonel Henry Cuninghame, Charles Hamilton, Andrew Knox, John Forward, John Hamilton, Hugh Hamill, John Montgomery, Francis Polliot, William Gore, William Connely, Charles Melvin, Henry Langford, Humphry May, William Stewart, William Wray, Henry Hart, George Vaghan, Patrick Hamilton and Edward Harison, Esqs; Capt. William Hamilton, Capt. William Cunningham, Capt. Francis Hamilton, Capt. Robert Baird, Ralph Gore, William Sampson, Esq; Thomas Mac Cassland, Alexander Cunningham of Aghen; William Knox, Gentlemen, the Warden of Lifford, for the time being, the Probost of Donegall, Killebeggs, Ballishannon, and St. Johnston, for the time being, Henry Brook, Andrew Knox, VWilliam Cairy, Robert Mortimer, James Vaughan, Michael Huetson, Robert Spence, Thomas Adkinson, Tristram Swetenham, John Cowan, Charles Colhoone, VWilliam VWalker, Alexander Nisbit, James Nisbett, Andrew Lindsey, John Evans, Edward Cairy, and John Henderson, Gentlemen.

For the County of the Town of Drogheda.

The Mayor and Sheriffs for the time being, Charles Lord Moore, Sir Henry Tichburn, John Stoker, Edward Singelton, Richard Jackson, Thomas Percivall, VWilliam Elwood, Henry Nicholas, Joseph Tomlinson, VWilliam Newton, James Mead, John Graham, Richard Pitts, Aldermen; Caleb Gay, and Richard VVhaly, Esquires.

For

For the County of Downe.

Sir John Trever. **Sir** John Maghill. Nicholas Bagnoll, James Hamilton, of Tallymore, Nicholas Price, Mathew Ford, William Shaw, Edward Harrison, Fredrick Porter, Robert Ecklin, Patrick Savage, James Montgomery, John Ecklin, Gowin Hamilton, William Hamilton, John Hawkins, Henry Hunter, John Norice, John Gibbons, James Baile, John Ellfmeer, John Latham, **The Honourable** Michael Hill, **Esquire**, James Hamilton, of Bangor, Francis Annelly, Hans Hamilton, James Slone, Clotworthy Upton, Charles Campbell, David Campbell, Francis Hall, Hugh Muntgomery, George Rosse, of Portavo, Arthur Maxwell, Samuel Warring, John Haltridge, Roger Hall, **Captain** Alexander Steward, Vere Ward, Thomas Knox, Richard Johnston and John Montomery, **Esquires**; John Latham, Francis Allen, Patrick Hamilton, Mathew Stothard, John Smith, James Hewson, John Saunders, William Catherwood, Henry Maxwell, **Capt.** Evan Humphries, William Neaven, Hugh Maxwell, Robert Hawkens, Philip Wilkison, James Hamilton, of Derryboy, Roger Bristo, Alexander Brown, John Blackwood, **Junior**, and Alexander Hamilton, and George Rosse, of Carny, **Gentlemen**.

For the County of Fermanagh.

The Sheriff of the said County for the time being, **Sir** Gustavus Hume, **Baronet**, **Sir** James Caldwell, **Baronet**, **Sir** Michael Cole, **Knight**, **Colonel** Abraham Creighton, **Collonet** James Corry, **Doctor** Christopher Irwin, Charles Balfour, Hugh Montgomery, of Carow, William Archdale, Charles
 F Wallis,

Wallis, Hugh Montgomery, of Derrygonelly, William Balfour, **Esquires**; **Captain** James Creighton, **Captain** John Corry, Gilbert Eccles, David Rynde, Jason Hassart, Edward Davis, **Esqs.** **The** **Probst** of Enniskilling, for the time being, James Aghenlect, Walter Johnston, **Gentlemen**, **Captain** John Irwin, **Captain** Robert Clarke, **Sir** William Gore, **Sir** Tristram Berrisford, and **Sir** Henry Tichburne, **Baronets**.

For the County of Galway.

Sir George St. George, **Knight**, John Eyre, **Esquire**, **Sir** George St. George **Baronet**, Colonel Richard St. George, Gilbert Ormsby, William Caulfield, Frederick Trench, Henry Peirce, John Ormsby, John Morgan, John Neyland, Richard Whaly, Robert Maion, Thomas Crossdale, Samuel Eyre, John Lopdell, Edward Eyre, **Esquires**; **the** **High Sheriff** for the time being, Thomas Stanton, Edward Crow, **Esquire**, Robert Shaw, John Carter, Oliver Carter, John Taylor, Thomas Cunys, Edward Blackney, Jeremy Morgan, Jacob Spike, Thomas Crookshanke, William Gunter, Richard Warren, John Broughton **Junr.** Lodowick Pringle, Francis Muxley, Conn Mitchell, William Davis, and Edward Wilson, **Gentlemen**.

For the County of the Town of Galway.

The Mayor and Recorder for the time being or their respective **Deputy's**, **the Sheriffs** of the said Town for the time being, Thomas Revett, Thomas Simcocks, Thomas Cartwright, Thomas Yeeden, John Gerry, **Aldermen**, **Sir** George St. George, **Baronet**, **Sir** George St. George, **Knight**, **Collonel**

Collonel Richard St. George, Robert Ormsby, Iohn Eyre, Edward Eyre, Iohn Ormsby, Iohn Ravett, Esquires; Robert Shaw, Robert Witherington, Gentlemen, James Rivettvigie, Merchant.

For the County of Kerry.

Lord Baron of Kerry, the Honourable Captain William Fitz-Maurice, the Honourable James Fitz-Maurice, Edward Denny, Senior, Esq. the Sheriff for the time being, the Honourable Henry Petty, William Sands, John Hassett, Edward Denny, Junior, Barry Denny, Samuel Maurice, James VValler, Frederick Mullins, David Crosby, VVhittall Brown, Theobald Purcell, Andrew Young, Thomas Ponsenby, John Hassett of Killorglin, Samuel Raymond, Patrick Crosby, Rowland Bateman, John Bateman, VVilliam Crosby, Robert Hassett, Thomas Shortcliffe, John VValker, Richard Brown, Joseph Morris, Charles VVrenn, Henry Staughton, Timothy Euraghty, Charles Monk, Dean John Richards, Richard burch, Lancelot Glanville, James Comor, Samuel VVilson, James Bland, Thomas Palmer, Iosias Kenington, Richard Orpin, Iohn Rawlins, Iasper Morris, Richard burch, Iohn Sands and Francis Downs.

For the County of Kilkenny.

Sir Christopher Wandesford, Baronet; Sir John Mead, Sir Henry Weymes, Knights; Collonel William Ponsonby, Agmundisham Cusse, Ebenezer Warren, Arthur Bush, Blaney Sandford, Edward Worth, Christopher Huetson, Edward May, Samuel Booth, Robert Stopford, Balthazer Cramer, Arthur Webb, John Eaton, Amias Bush, John Langrish, George

George Read, John Baker, Thomas Crawford, Edward Deane, Arthur St. George, Joseph Bradshaw, Esquires; Thomas Scurfield, Edward Brisco, Ralph Rell, Joseph Rell, Pierce Brian of Bawnemore, Paul Gore, John Warring, Richard Connell, John Jones, Nathaniel Boyse and Darby Egan, Esqs; Abel Butler, Charles Gore, James Agar, Jonathan Whitby, William Headen, Patrick Welsh, Joseph Wheeler, Thomas Mansell, William Deys, John Bishop, John Villers, John Barnes, Daniel Mansergh, William Hawkins and Joseph Lodge, Gentlemen.

For the City of Kilkenny.

The Mayor, Recorder, and Sheriffs for the time being; Sir Christopher Wandesford, Baronet; Standish Hartstongue, Esq; Recorder, Ebenezer Warren, Richard Connel, Joshua Helsham, John Pape, Isaac Muckins, Esquires; Josias Haydock, Patrick Connell, Albert Butler, John Garnet and John Warring, Aldermen.

For the County of Kildare.

The Lord Viscount Ely, the Honourable Robert Fitz-Gerald Esq; Sir Francis Blundel, Sir Kildare Burrows, Baronets; Sir John Eustace, Knight; George Fitz-Gerald, James Barry, Richard Nevil, Thomas Medlicot, John Davis, Maurice Keating, Richard Lock, Francis VVeymes, Robert Graydon, Paul Davis, Robert Dixon, John Allen, VVentworth Harman, Francis Annesly, Maurice Annesly, John Annesly, Edward Stratford, Agmundisham Vezy, VWilliam Mollineux, Garret VVeitely, Richard Meredith, Henry Warren, Charles Rickeseis, Dudly Cooly, Henry Cooly, Raphael

Raphael Hunt, Jeffery Paul, John Ailmer, James VWhite, VWilliam Bructon, John Aylmer, Junioz, Richard VVibrow, VValter White, Francis Spring, Thomas Twigg, Theobald Bourk, William Chavinor, Benjamin Fish, George Medlicot, William Harbourne, and William Southerby, Esquires, William Knight, Clerk, Alexander Graydon, William Wright, Bartholomew Rigg, and Henry Doyle, Gentlemen. The several Sovereigns for the time being, of the Naas, Kildare, Athy, and Haristown.

For the Kings County.

Sir Francis Blundell, Baronet, Sir Lawrence Parsons, Baronet, Sir George Harbert, Baronet, William Parsons, Duke Gifford, John Eyre, Thomas Lestrange Richard Warburton, Senior, William Sprigg, John Weaver, John Moore, Samuel Rolls, Hector Vaghan, John Baldwin, Senior, John Baldwin, Junior, Richard Hansard, Robert Lestrange, John Wakely, Albert Nesbit, Jeffry Lyons, Thomas Moore, Jonathan Darby, Samuel Moss, Martin Baldwin, Richard Warburton, Junior, George Warburton, Henry Westonray, Esq. William Nelson, Clerk, Daniel Tomlinson, Clerk, George Lowther, Clerk, Medhop Loyd, Richard Luther, John Seymer, Anthony Carroll, Humphry Minchin, William Witherill, Peter Holmes, Maurice Keating, Capt. Oliver Bingly, Phillip Moore, James Sterling, Edward Baggot, Miles Baggot, Charles Wenman, Esquires; Captain Charles Steward, Francis Lambert, George Fryffel, Archibald Armstrong, Nathaniel Taylor, John Ridgway, John Tarlton, John Cradock, William, Minchin Randall Cook, Bigo

Bigo Honfy, William Armstrong Francis Clarke, Philip Wenman, and William Vaughan, Gentlemen.

For the County of Leytrim.

Sir George St. George, Sir William Gore, Sir Robert Gore, and Sir Francis Hamilton, Baronets, John Renolds, Theophilus Jones, Gilbert King, William Lander, William Gore, Morgan Cunigam, Thomas Craffton, Robert Galbrath, John French, Arthur Cooper, John Mahon, Edward Reynell, Ralph Gore, William Smith, and William Parks, Esqs; Capt. Edward Johnston, Capt. William Parsons, William Lander, Junior, John Peyton, William Ellis, and John Crofton, Gentlemen. VVilliam Cunningham, and VVhiteclaw Clerks, the Soberaign of James Town, and the Provost of Carrick, for the time being.

For the County of Limerick.

Sir Edward Crofton, Baronet, Sir Thomas Southell, Baronet, and Sir Standish Hartstonge, Baronet, Sir VVilliam King, Knight, George Evans, the Younger, Chichester Phillips, Standish Hartstonge, the Younger, Chidley Coot, Standish Hartstonge, the Elder, Charles Oliver, John Ormsby, Joseph Stephny, VVilliam Trenchard, John Piggott, George Evans. Senior. Ralph Wilson, John Odell, Michael Serl, Henry Widdenham, Richard Stephens, David Wilson, Robert Taylor, Thomas Monfell, VVilliam Blackney John Croker, Richard VValler, James VValler, Thomas Holmes, George King, John Parker, Henry Iohnson, Hugh Masley Thomas Role, Henry Ailmer, VVilliam Ryvers, John Bury, William Langford, the Younger, Esquires;

Esquires; Sampson Cox, Edward Blenerhasett, John Bayly, Edward Croker, Thomas Fitz-Gerald, John Gabbot, Owen Cutbert, **Gentlemen**, Nicholas Wesby, and Edward May, **Esquires**.

For the City of Limerick.

The Mayor for the time being, Sir Joseph Williamson, and Sir William King, **Knights**, Joseph Coghlan, **Esquire**, **Recorder**; Dean Ezekiel Webb, Ralph Wilson, and Edmond Perry, **Esquires**; William Gribble Robert Smith, George Roch, John Craven, John Ford, Edward Weight and Simon VWhite, **Aldermen**.

For the County of Longford.

Sir Robert Newcomen, **Baronet**, Sir John Edgeworth, **Knight**, Sir Walter Plunket, **Knight**, **The Honourable** William Wolsely, Ambrose Auger, Wentworth Harman, **Esquires**, John Kerr, **Dean of** Ardagh, Charles Fox, Anthony Shepherd, Arthur Aghmooty, **Senior**, Arthur Newcomen, Francis Edgeworth, John Percivall, John Ahmooty, Theophilus Jones, Samuel Forth, Frake Sandys, Mathew Wilder, Robert Edgeworth, Arthur Aghmooty, **Junior**, William Hide, Francis VVilson, John Kenedy, Richard Gardiner, and Thomas Handcock, **Esquires**; John Wilson, **Clerk**, John Green, **Clerk**, **The Sovereign of** Longford, for the time being, **The Sovereign of** Lanesburrough, for the time being, **the Sovereign of** St. Johnstown, for the time being, and **the Sovereign of** Granard, for the time being.

For the City and County of London-derry.

The Mayors and Recorders of London-derry
and

and Colraine, for the time being, the Sheriffs of the City and County of London-derry, for the time being; Sir Tristram Berrisford, Sir Arthur Langford, Sir Robert Staples, **Baronets**; William Jackson, David Cairnes, Bartholomew Vanhomrigh, Henry Langford and William Connelly, **Esquires**, William Smith, Jervis Squire, Alexander Lecky, James Lenox, Henry Long, Henry Ash, Horace Kenedy, Thomas Moncrefie, **all Aldermen of the City of London-derry**; Alexander Skipton, Charles Norman, John Mogridge, John Corran and John Harvey, **Gentlemen**. Edward Brooks, **Merchant**, Hugh Rowly, William Cuninghame, Thomas Dawson, and Nicholas Downing, **Esquires**; Hugh Rainey, Thomas Ash, Adam Downing, William Palmer, Samuel Right and John Howey, **Senior, Gentlemen**. Edward Carey and William Gage, **Esqs.** The **Provost of Newtown for the time being**; George Carey, George Church, William Bacon, Edward Bacon, Robert Bacon, Robert Dent, George Thornton and Henry Brown, **Gentlemen**. George Cuning and Thomas Church, **Esquires**. **Collonel** Thomas Blaire, George Canning, Charles Church, **Junior**; John Hodgson and Dominick Heyland, **Gentlemen**. Tristram Beresford and William Godfrey, **Esquires**. Arthur Church, John Galt and Edward Barwick, **Aldermen of Coleraine**. Michael Berrisford, Arthur Carey, Thomas Spaight and Thomas Lance, **Gentlemen**. Nicholas Averall, John Thompson, **Junior**, and John Galt, **Junior, Merchants**. Richard Lynham, James Buoy, and John Oliver, **Gentlemen**.

For the County of Louth.

The high Sheriff for the time being; Sir John Hanmore,

Hanmore, **Sir Henry Tichborne, Knights and Baronets**; **Sir Thomas Fortescue, Knight**, Thomas Bellingham, James Tisdale, John Pepper, Norman Garstin, Blaney Townley, Edward Singleton, Arthur Brownlowe, William Barton, Timothy Armitage, Brabazon Moor, Robert Alway, and Kilnor Brazier, **Esquires**; John Ruxton, Anthony Barry, James Leigh, John Smith, **Gent. Alderman John Graham**, Roger Bury, Thomas Clarke, **Gentlemen**; Caleb Gay, Jeremiah Smith, **Esquires**, Philip Vincent, **Senior**, the Portreeves of Atherdee for the time being; the Bailiff of Dundalk for the time being; the Sovereign of Carlingford for the time being; the Sovereign of Dumleer for the time being.

For the County of Mayo.

Sir Henry Bingham, Sir Arthur Shane, Baronets; John Byngham, Willam Gore, Gyles Vanderlure, William Palmer, Edward Eyre, Robert Miller, Thomas Bell, John Mathew, Thomas Burditt, Robert Miller, **Junior**, Robert Bell, Francis Palmer, **Esquires**; Thomas Brown, Thomas Jones, Samuel Lindsey, Robert Ormsby, Mathew Bell, John Sheridan, Robert Ormsby, **Junior**, and Thomas Cuffe, **Gentlemen**.

For the County of Meath.

The Right Honourable the Lord Moore, the Chancellor of the Exchequer, Oliver Lambert, **Esquire**; **Sir Arthur Langford, Sir Henry Ingoldsby, Baronets**; **Sir Henry Tichburne, Knight and Baronet**; **Sir John Dillon, Knight**, Thomas Blith, **Esquire**, **Sir Charles Fielding, Knight**; Andrew Ram, William Napper, Robert Johnson, Arthur

Arthur Meredith, Francis Osburne, Thomas Taylor, Charles Meredith, Garret Wesley, James Napper, **Esquires**, Doctor Molineux, Edward Corker, Edward Forth, Michael Shields, Samuel Bull, Henry Langford, Robert Hopford, Lancelot Dowdall, Joseph Deane, Anthony Towers, Charles Lambert, Henry Osburne of Dardistown, Stephen Ludlow, John Warburton, **Esquires**, Major George Pepper, Symon Pepper, Hugh Mervyn, John Leigh, John Grimes, Edward Singleton, William Elwood, **Esqs.** Nathaniel Elwood, Anthony Berry, **Gentlemen**. Charles Campbell, **Esquire**; Richard Shinton, Henry Osbourne of Knowth, Thomas Garret, **Gentlemen**. Joseph Woodward, William Williams, Samuel Jackson, **Esquires**, Thomas Nicholson, **Gentleman**, Henry Meredith, **Esquire**; Major John Pepper, Henry Codogan, **Esquire**. Alexander Kent, Joseph Dean, **Junior**, **Gentlemen**. Darcy Wentworth, George Wentworth, Nathaniel Bull, John Wade, **Esquires**. Charles Wade of Clonebray, **Gentleman**, John Wood, John Wood, Robert Alway, John Percival, Samuel Dopping, Thomas Loftus, Joseph Pratt, Benjamin Pratt, **Esquires**; John Pratt, **Gentleman**. William Conelly, Richard Jones, John Jones of Fresan, Isaac Holdwright, John Hawkshaw, **Esquires**. Portreeve of Trim for the time being; Sovereign of Kells for the time being; Portreeve of Navan for the time being; Duke Iefford, James Tisdall, Edward Swan, **Esquires**. Alderman James Vanbobbart, Captain William Ingoldsby, Marmaduke Coghill, Oliver Moore, Thomas Ashe, **Esquires**. Samuel Gwithers, **Gentleman**. William Palmer, **Esquire**. Sir John Coghill, **Knight**. Robert Smith, Robert Moleworth, Hugh Morgan, Richard Willet, **Esquires**. Samuel Gibbons, Francis Tuke, **Gentlemen**, James White of Moyglare, **Esquire**.

For the County of Monaghan.

The Honourable Master Justice Coote, the High Sheriff for the time being, William Barton, Henry Tenison, Robert Ecklin, Charles Deering, Hugh Montgomery, John Usher, James Curry, James Moore, Arthur Brownlow, James Tisdall, Edward Davys, Richard Johnston, Francis Lucas, Senior, Francis Lucas, Junior, Bryan Norbury, William Wyshart, Blayne Owens, Henry Richardson, John Corry, George Buchannon, Alexander Montgomery, Richard Pockrich, Gilbert Eccles, Richard Liegh, Joseph Johnston, Timothy Armitage, Walter Dawson, Thomas Wildman, and Thomas Chappell, Esquires; Captain Francis Butler, Captain Robert Stephenson, Captain Hans Stephenson, John Leslie, Dean of Dromore, John Smith, Arch-Deacon of Clogher, William Smith, John Lawe, John Foster, Ralph Barloe, John Knox, Andrew Montgomery, and William Pockrich, Clerks, the Provost of Monaghan, for the time being, Charles Congreve, Robert Maxwell, John Barlow, Francis Rose, Benjamin Rose, Dudley Tomlinson, Henry Evet, John Forster, James Standes, Richard Allen, John Graham, Richard Fitch, Francis Dobb, William Johnston, David Jones, Thomas Jones, Gentlemen.

For the Queens County.

The High Sheriff for the time being, The Honourable Robert Fitz-Gerald, Esquire, Sir John Mead, Knight, Sir Edward Massey, Knight, John Weaver, Senior, John Weaver, Junior, Robert Warneford, Walter Weldon, Thomas Pigott,
St

St. Leger Gilbert, George Waburton, Richard VVarburton **Senioz**, Richard Warburton, **Junioz**, William Hartpole, Thomas Carr, Gilbert Rawson, Richard Hansard, John Spranger, John Barrington, Periam Pole, Richard Priar, Dudley Cosby **Esquires**. Andrew Nisbitt, **Clerk**, Abraham May, Lancelott Sands, John Stringer, **Gentlemen**, Richard Seager, Denny Muschampe, Thomas Ueafey, Phillip Wheeler, Wentworth Harman, **Esquires**; **Doctor** Charles Crow, Robert Piggot, of Cappard, William Brereton, George Mervin, Stephen Fitz-Gerald, Oliver, Welsh, Edward Stubbers, **Esquires**; William Gray, Thomas Starkey, William Delpard, Stanley, Starkey Roger Allen, Dennis Dugan, Josaph Partridge, Hopton Harris, Samuel Whitshedd, **Gentlemen**, Maurice Kannely, and Richard Hall, **Clerks**, Robert Finn, Lemuell Wagstaffe, William Rigway, James Wall, John Short, **Gentlemen**, Nicholas Carleton, William Newstead, **Esquires**.

For the County of Roscomon.

Sir Robert Kinge, **Baronet**, **Sir** George St. George, **Baronet**, **Sir** Edward Crofton, **Baronet**, John King, VWilliam Caulfield **Esquires**, **Sir** Arthur Cole, **Baronet**, Henry Sandford, **Esquire**, **Master Serjeant** Neave, Arthur St. George, VWilliam Handcock, Gilbert King, Henry St. George, Andrew Blackburne, John Dogherty, John French, John Mahon, Robert Sandys, **Esquires**; George Digby, **Clerk**, Edward Madden, John Reynolds Theophilus Jones **Esquires**; **Master** Gilbert Gardiner, Toby Molloy, Gilbert Ormsby, Edward Ormsby, Gilbert Donellan, George Crofton, Henry Dodwell, **Esquires**; **Master** Bryan Cummin, **Master** Thomas Walker, **Master** Alexander Erwin, **Master** Henry Erwin,

Erwin, **Master** Humberston VVestby; **Master** Lewis Hawks, **Collonel** Daniel Hudson, **Master** Robert Goldsmith, **Master** Dennis Delany, **Master** Edward Kelly, **Master** Dean Cope, **Master** Thomas Headen, **Master** Jeremiah Law, **Clerk**, **Master** John Drury, **Master** Edward Drury, the **Sovereigns** of Athlone, Roscomon and Tulske, for the time being; the **Burgomaster** of Boyle for the time being.

For the County of Sligoe.

Sir Robert King, **Baronet**, Edward Wingfield, Hugh Morgan, John Kinge, Piercy Gethin, Roger Smith, Arthur Cooper, William Griffith, Mathew Ormsby, Jeremiah Jones, Lewis Jones, Adam Ormsby, William Ormsby, George Wood, Charles Hara, Benjamin Burton, Keane Hara, Thomas Griffith, Robert Follyott, Christopher Jones, **Esqs.** William Smith, Philip Cox, James Barrett, Stephen Ormsby, William Fibbs, James Devitt, **Gentlemen.**

For the County Palatine of Tipperary.

Sir John Meade, **Knight**, **Lord** Viscount Ikeryne, Thomas Sadler, James Harrison, John Ottway, John Bayly, **Esquires**; **Sir** Thomas Osburne, **Knight**, Charles Allcock, Stephen Moore, Thomas Moore, Richard Moore, Samuel Greene, John Buckworth, Robert Blenerhassit, Thomas Carter, John Perry, William Vaughan, **Esquires**; Robert Bredon, Patrick Hackett, **Clerks**; William Armstrong, John Pike, Symon Broadstreet, Robert Stopford, Anthony Cheamley, John Cooke, Oliver Latham, Kingmell Pennefather, **Esquires**; Andrew Roe, John Cooley, **Gentlemen.** William Jarvin,

Jarvis, Thomas Cleare, Senior, James Dawson, Esquires. The High-Sheriff for the time being; the Mayor of Cashell for the time being; the Mayor of Clonmell for the time being; the Sovereign of Fethard for the time being. David Low and William Lane, George Burdett, Charles Laugley, John Hunt, Pham Cooke, Junior, Gentlemen. George Read, Esquire. Thomas Salmon, William Latham, Charles Robinson, Joseph Tudkins, Michael Stanley, Gentlemen. Admundisham Cusse, Esq; Philip Carleton, Gent. Humphry Minchin, Hector Vaughan, Esquires. John Minchin of Annagh, John Minchin of Shangarry, Gentlemen. Thomas Batry, John White of Abbey, John White of Ardsfinane, Philip Carleton of Clonmell, Richard Dennison of the same, Richard Newport of the Abby, Robert Boreman of Nenagh, Gentlemen; Richard Whaley, Joseph Lloyd, Robert Cole of Ballymach, Esquires; Robert Minute of Gentleman; Daniel Gahan, Junior, Joseph Damer, Anthony Carrol, William Worth, Richard Walter, Nicholas Southcoate, Esquires; William Minchin, Isaac Hales, and Richard Baker, Gentlemen.

For the County of Tyrone.

The High-Sheriff for the time being, Henry Mervin and James Hamilton, Esquires, Knights of the Shire; Thomas Knox, John Hamilton, Andley Mervin, Oliver Mc. Causland, Esquires. Sir Robert Staples, Baronet, Richard Johnston, Esquire, Sir Thomas Pakenham, Knight, and David Creighton, Esquire, Burgesses of the said County, Collonel Theobald Cawfield, Collonel John Cawfield, Sir Pristram Beresford, Baronet.

Hugh

Hugh Hamell, James Moore, of Anacloy, Archibald Robinton, James Murray, Patrick Hamilton, William Stewart, of Killymoon, George Buchanan, Thomas Morris, John Leslie, William Hamilton, of Mayagh, William Latham, Charles Eccles, John Houston, Andrew Stewart, of Irey, James Moore, of Desfertereagh, George Stewart, Francis Nevill, Esquires; Thomas Edwards, David Mac Clenaghan, of Strabane, William Maxwell, of the same, William Hamilton, of Mountalony, James Hamilton, of Tilidony, William Cairns, Allen Moore, William Moore, Stewart Blacker, Robert Lowry, Charles Young, John Dowglasse, Thomas Cooper, William Goodlett, Gentlemen, Warham Jemmett, Nicholas Carleton, John Latham Esquires.

For the City of Waterford.

The Mayor and Sheriffs for the time being; Anthony Suxbury, Esquire; Recorder, Richard Christmasse, John Mason, Joseph Ivie, John Halam, and John Head, Esquires; Alderman, William Dennis, Alderman, Abraham Smith, Alderman, Benjamin Boston, Master Samuel Frith, Merchant.

For the County of Waterford.

The High Sheriff for the time being, Sir Thomas Osburne, Knight, The Honourable Henry Petty, John Mason, Esquire, John Dalton, Clerk, Dean of Waterford, Richard Christmasse, James Mutlow, William Dobbin, Henry Nichell, and John Otherington, Esquires; John Eccles, Clerk, Arch Dean of Lismore, William Bucknore, Edward May, Joseph Ivie, Timothy Vall, Robert Carew,

Carew, John Nettles, Roger Power, VVilliam Great-racks, Andrew Bagg, William Browning, William Congreue, Edward Hibbert, and Thomas Croker, **Esquires**; Beverly Usher, Samuel Frith, Edward Cranwell, Ralph Greene, Michael Carew, and Richard Bagg, **Gentlemen**. Simon Ratcliffe, **Clerk**, Francis Beecher, **Clerk**.

For the County of Westmeath.

Robert Rochfort, **Esquire**; his Majesty's At-torney General, and Speaker to the Honourable House of Commons, Oliver Lambert, **Esq**; Sir Thomas Pakenham, **Knight**, George Peyton, William Handcock, Charles Lambert, **Esqrs**; Sir John Rogerfon, **Knight**, Walter Pollard, Thomas Smith, Thomas Handcock, John Cooke, James Nugent, Robert Pakenham, Henry Dodwell, Henry St. George, John Wood, **Junioz**, John Adams Barachias Low, Richard Pilkington, Lewis Meares, **Senioz**, Lewis Meares, **Junioz**, Edward Bertles Alexander Murry, John Percivall, Christopher Nugent, **Esquires**; Arthur Judge **Gentleman**, Henry Humphreys, **Esquire**, Thomas Magan, Edmond Branchwaite, James Pollard, **Gentlemen**, Robert Smith **Clerk** Thomas Smith, of Killtoome, William Chapman, **Gentlemen**, Hugh Bowen, Caleb Gay, William Gay, **Esquires**; Robert Temple, **Gentleman**, Mungo Campbell, **Esquire**, Dominick French, **Gentleman**, John Darby, **Esquire**.

For the County of Wexford.

The Right Honourable Phillip Savage, Matthew Forde, Daniel Wibrants, John Harvey, Francis Annesley, Thomas Crawford, John Seymoure, Richard Barry, **Esquires**; Sir Richard Bulckley, **Sir** Nicholas

Thomas Loftus, John Chichester, Abell Ram, **Esqrs**,
 Robert Wolesley, Anderson Saunders, John Cliffe,
 Nathaniel Boyse, Maurice Annesley, Henry Loftus,
 Cadwallider Edwards, John VVintworth, Thomas
 Dulter, Thomas Milling, Joshua Tench, Anthony
 Cliffe, Samuel Tench, Henry Jeford, Charles Buggs,
 Andrew Ram, William Cole, Roger Lindon, Wil-
 liam Anflow, James Stopford, Jeremy Simms, Ed-
 ward Rogers, Lawrence Davys, John Grogan, James
 White, Henry Archer, John Shapland, Thomas Ivory,
 Thomas Phillipps, VVilliam Hore, **Soveraign of**
Rosse, for the time being, Mayor of VVextord,
for the time being, Soveraign of Newborrough,
alias Gory, Richard Nixon, Henry Hutton,
 John Smith, John VVhite, Heygate Boyd, John
 Bunburry, Nathaniel Stephens, John Napper, John
 Fenn, Samuel Pitt, Henry Napper, Simon Younge,
 John Grogan **Portreeve Eniscorthy, for the time**
being.

For the County of VVicklow,

John Price, Richard Edwards, **Esquires**, Sir Ri-
 chard Buckley, **Baronet**, Willam Hoey, **Esquire**,
Senior, William Mathews, Thomas Keightly, Wil-
 liam Robinson, Christopher Carlton, Robert Strat-
 ford, Richard Thompson, Evan Price, Owen Jones,
 Thomas Burrows, Christopher Collwell, William
 Fownes, Tichburne VVest, Peter Craddock, Wil-
 liam Hoey, **Junior**, Abram Nickson, Thomas Phil-
 lipps, Charles Ferrers, John Hackett, **Esquires**,
 Talbott Keane, **Gentleman**, Anthony Archer,
 Robert Graydon, and Richard Gardiner **Esquires.**

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And

And the said Commissioners, in Order to a speedy Execution of this Act, shall, and are hereby Required in their respective Counties, Cities, Burroughs, Towns, Baronies and Places, to meet together at the most usual, and common place of Meeting, within such of the said Counties, Cities, Burroughs, Towns, Baronies and Places, respectively, on the Ninth Day of December, in the Year of our Lord, One thousand Six hundred Ninety seven; and the said Commissioners, or so many of them as shall be present at the First General Meeting, or the major part of them, may by their Consents and Agreements, divide as well themselves, as other the Commissioners not then present for the Execution of this Act, into Baronies, Hundreds, Wards, Towns, Villages, and other places within their Limits, Priviledged or Unpriviledged, in such Manner and Form, as to them shall seem Expedient; and shall Direct their severall, or joint Precept, or Precepts, to such Inhabitants, High-Constables, Petty-Constables, Bailiffs, and other such the Officers and Ministers, and such Number of Men, as they in their Discretion shall think most convenient to be Presentors and Assessors, requiring them to appear before the said Commissioners at such time and place, as they shall appoint, not exceeding Eight days, and at such their appearing, the Commissioners, or so many of them as shall be thereunto Appointed, shall openly Read, or cause to be Read unto them, the Rates in this Act mentioned, and openly Declare the Effect of their Charge unto them, and how, and in what manner they ought, and should make their Certificates according to the Rates aforesaid; and then, and there, prefix another day to the said Persons

Persons to appear before the said Commissioners, and bring in their Certificates of the Names, and Surnames, Qualities, Degrees, Titles, Estates, Professions, Employments and Trades, of all and every the Persons Dwelling, or Residing within the Limits of those places, with which they shall be Charged, and of all other things in Respect whereof any Person is, or may be Chargeable by this Act; together with the Assessments of the Respective Rates hereby Imposed on each particular Person, according to the Rules and Directions hereof, without Concealment, Love, Favour, Dread, or Malice, upon pain of Forfeiture of any Summ not exceeding five Pounds, to be Levied as by this Act is Appointed; and shall also then Return the Names of Two or more able, and sufficient Persons within the Bounds and Limits of those Parishes or Places, where they shall be Appointed Respectively, as aforesaid, to be Collectors of the Money due to his Majesty by this Act, for whose Collecting and Paying unto the Receiver, or Receivers, to be Appointed by the said Commissioners for the Respective Baronies in manner following: Such Money as they shall be Charged withal, the Parish or Place by whom they shall be Employed, shall be Answerable; which Certificate and Assessments, shall be Ascertained, and Returned unto the Commissioners, at, or before the Tenth Day of January, in the Year of Our Lord, One thousand Six hundred Seventy seven, and upon the Delivery, or Returning in of such Certificates, or Assessments, unto the said Commissioners, they or any Two or more of them, shall forthwith Issue out, and Deliver their Warrants of Excheats to such Collectors,
as

as aforesaid, for the speedy Collecting and Levy^{ing} of the said Assessments, and all Moneys and Rates due thereupon, according to the Intent and Directions of this Act, of which the said Collectors are hereby Required to make Demand of the Parties themselves, or at the places of their last Abode, within Six days after the Receipt of such Warrants or Estrates; and to Levy and Pay in at such place, as the Commissioners shall appoint unto the respective Barony Collector or Receiver, and the respective Receivers are hereby Impowered and Required to call upon, and hasten the Collectors to the said Payments; and in Default thereof, to Levy by Warrant under the Hands and Seals of any Two or more of the Commissioners, upon the respective Collectors by Distress, such Summ and Summs of Money as they have Received, and as ought to have by them been paid, and are not paid, by Reason of their Failure in doing their Duty respectively, according to the Direction of this Act.

And be it further Enacted by the Authority aforesaid, That a true Duplicate of the whole Summ charged within every Barony, Hundred, Parish, Ward, Village and place, Rated and Assessed pursuant to this Act, without naming the persons, shall under the Hands and Seals of two or more of the Commissioners thereunto appointed, be returned into His Majesties Court of Exchequer, before the Eight and Twentieth Day of February, One thousand Six hundred Ninety seven all Appeals being first determined; and in like manner within Thirty days after each of the days of the said Quarterly Payments; and the like Duplicates be also in convenient

venient time made out and delivered unto the Receiver-General, so as every of them may be duly Charged to answer their respective Collections and Receipts: And that the said several Summs be paid in each County, to such person or persons as shall be appointed by the Chief Governour, or Governours of this Kingdom, for the time being, to that Purpose. Pursuant to this Act, of which Appointment notice is to be given in Ten Days before the payment thereof by Publick Proclamation, to be Issued by such Chief Governour or Governours, and that the payment of such Summs in each County, to such person or persons so to be appointed, and the Receipt under the hands of such person or persons so Authorized by such Chief Governour, or Governours, submitting the Receipt of such Summ, shall be a sufficient Discharge to the County, or place from which the same is Received; and as sufficient as any Exchequer Acquittance: And upon return of any such Certificate or Assesment, the said Commissioners, or any two or more of them, shall, and may (if they see cause) examine the Presenters thereof; and if the said Commissioners, or any two or more of them within their several Limits, shall at the time of the delivery of the said Certificates, or within Twelve days after, have knowledge, or reasonable cause of suspicion, that any person or persons who ought to be mentioned in the said Certificate, is, or are omitted, or that any person or persons in the said Certificates mentioned, is not, or are not fully and duly Charged according to the true intent of this Act, the said Commissioners, or any two or more of them, shall have power to warn such person or persons to appear be-

fore them at a day and place prestred to be examined touching the premisses or any matter which may any-wise concern the same; and if the person or persons warned to be examined, shall neglect to appear, not having a reasonable Excuse for such his Default, every person so making Default, shall pay unto his Majesty double the Summ or Rate he should, or ought to have been set at. And moreover, the said Commissioners, or any two or more of them, shall have Power by any Lawful Ways and Means, to Examine and Enquire into all matters and things for, or by Reason of which any persons are Chargeable by this Act, and to set such Rate or Rates upon such persons, as shall be according to the true intent and meaning of this Act. That the Collectors for each Parish, shall have Six pence in the Pound for what Money, they shall pay to the Receiver of each Barony, or hundred; and that the Receiver, or Receivers for each Barony, or hundred, shall have Four pence in the Pound for what Money he or they shall pay to the Person or persons to be appointed by the Chief Governour, or Governours, of this Kingdom, for the time being, as aforesaid.

And be it further Enacted by the Authority aforesaid, That the Presenters and Assessors for each Parish within this Kingdom, for their Labour and Pains, and performing their respective Duties in the due execution of this Act, shall have, and receive Six pence for every Twenty Shillings Sterling, they shall Assess, and which shall be received by the Receiver, or Receivers of each Barony, for which such Assessors, or Presenters shall be respectively appointed

pointed as such in pursuance of this Act; to be paid by the several and respective Receivers of the several Baronies: Which said payment of Six pence per pound, as aforesaid, shall by the Receiver, or Receivers of the Barony, or County, be allowed unto such Collectors, respectively, as good payment for so much; and the said Collectors respectively, are hereby discharged from any Claim of His Majesty touching the said Summ of Six pence, per pound. And to the end the said Assessors, or Presenters may have the more regard to the due execution of their Office, as Assessors, or Presenters, according to the true intent and meaning of this present Act.

Be it further Enacted by the Authority aforesaid, That the Commissioners before-named for the execution of this Act, or any Two of them, shall, and are hereby Impowered and Required to Administer an Oath, to the respective Assessors or Presenters of the several Parishes, respectively appointed them to Assess in pursuance of this Act, That they will according to the best of their understanding, truly perform the Office of Assessors, or Presenters, to them respectively committed, without Concealment, Love, Favour, Partiality, Expectation of Reward, Dread, Hatred, or Malice, according to the true intent and meaning of this Act, And the said Assessors, or Presenters are hereby Required before they enter into, or upon the execution of their Office, to take the said Oath accordingly. And for the careful Writing and Transcribing the said Warrants, Estreats and Duplicates in due time, and for making Certificates upon Appeals.

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It further Enacted by the Authority aforesaid, That the Commissioners Clerks who shall respectively perform the same, shall by Warrant under their or more of the Commissioners hands, have and receive from the respective Person or Persons who shall be appointed in each County, by the Chief Governour, or Governours of this Kingdom, for the time being, as aforesaid, so Recting the liberal Summs pursuant to this Act, three Pence in the pound, of all such Summs as they shall have received by Virtue of such Warrants and Certificates, who are hereby appointed to pay the same accordingly.

And if any Person or Persons shall refuse to pay the liberal Summ and Summs, and provisions appointed by this Act, for such Persons to pay, within the space of Ten Days after Demand; or Notice left at the place of Residence, or Dwelling of such Persons, by the Justice or Justices of the place, according to the Statute in that behalf to him or her directed by the said Commissioners; it shall be lawful to, and for any Justice, or Justice, who is hereby thereto authorized and required for non-payment thereof, to distress the Goods or Chattels of such Person or Persons, and the Distress so taken, to sell by the space of Eight days, at the said time and Charges of the Officers thereof; and if the said Person or Persons shall not pay the Summs so demanded by the said Justice, within the said time, then the said Justice shall take Appraisement of the Goods or Chattels so taken, and thereof sell to the best Advantage, for payment of the said Summs, and the Costs pertaining to the said Sale (if any be) over and above the Charges of Tak-

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ing and Keeping the said Distress to be immediately restored to the Owner thereof; And if any Person or Persons Assessed by this Act, shall Refuse, or Neglect to pay the sum or sums so Assessed, by the space of Ten Days after Demand, as aforesaid, where no sufficient Distress can, or may be found, whereby the same may be Levied; in every such Case, Three of the Commissioners by this Act appointed, for any such City, County, or place, are hereby Authorized by Warrants under their Hands and Seals, to commit such person or persons to the Common Goal, there to be kept without Bail or Mainprize, untill payment shall be made. And if any Person certified Assessed, or Rated, find him, or herself aggrieved with such Assessing, or Rating, and do within Five Days after Demand thereof, make Complaint to the said Commissioners, they, or any Three or more of them, (whereof two shall be of the Commissioners who Signed, or Allowed, his, or her Rate) shall, and may within Seven Days next after such Complaint, particularly Examine the Party so Complaining, upon his, or her Oath, touching the same; and upon due Examination, or Knowledge thereof, Abate, Default, Encrease, or Enlarge the said Assessments; and the same so Abated, Encreased, or Enlarged, shall be Estreated by them into the Exchequer, in manner aforesaid. And to that end, the said Commissioners are hereby Required to Meet together, for the Determining such Complaints, and Appeals accordingly.

And be it further Enacted by the Authority aforesaid, That every Person to be Rated by this Act, shall be Rated at such place where he,

or she, With his, or her Family shall be Resident, at the time of the Execution of this Act. And that every person not being a Householder, nor having a certain place for Abode; and all Servants shall be Taxed at the place where they are Resident at the time of the Execution of this Act. The Tax upon such Servants to be paid by their respective Masters or Mistresses, and to be Deducted out of their Wages; which Deduction the said Master or Mistress, is hereby Impowered to make.

Provided always, That if any person having several Mansion-houses, or places of Residence, shall be double Charged, by Vertue of this Act, that upon Certificate made by Two or more of the Commissioners for the County, City, or Place, which Certificate, the said Commissioners are hereby Required to give without Delay, for, or Reward, of his, or her Personal Residence, under their hands and Seals, of the Summ or Summis there charged, upon him, or them, or in what Capacity, or Respect, he or they were so Charged, and upon Oath made of such Certificate, before any Justice of the Peace of the County, or place where such Certificate shall be made; which Oath the said Justice of the Peace is hereby Authorized to Administer; then the Person or Persons so doubly Charged, shall for so much as shall be certified, be Discharged in every other County, City or Place. And if any Person at the time of the Assessing, shall be out of the Realm, such person shall be Rated where such person was last abiding within the Realm; And if any person that ought to be Taxed by Vertue of this Act, by changing his place of Residence, or by Fraud, or Covin, shall Escape from the Taxation

tion, and not be Tared, and the same be proved before the Commissioners, or any Two of them, or two Justices of the Peace of the County where such person Dwelleth, or Resideth, at any time within Twelve Months next ensuing after such Taration made; every person that shall so Escape from the said Taration, and Payment, shall be Charged upon proof thereof, at the double Value of so much as he should, or ought to have been Tared by this Act, the said double Value upon Certificate thereof made into the Exchequer, by the Commissioners, or Justices, before whom such proof shall be made, to be Levied of the Goods, Chattels, Lands and Tenements of such persons, towards the Supply aforesaid.

Provided always, That the Commissioners within any County, or place within their respective Limits, or the major part of them, shall Tar, and Assess every other Commissioner joyned with them: And the Commissioners within their Division, shall Assess every Assessor within their Division; and as well all Summs upon every of the said Commissioners and Assessors, as the Assessments Made and Presented by the Presenters, as aforesaid, shall be Written, Extreated, Levied, and Gathered, as the same should, and ought to have been, if the said Commissioners had not been Named Commissioners.

And be it further Enacted by the Authority aforesaid, That if any Assessor, Collector, Receiver, or any other Person appointed by the Commissioners, shall wilfully neglect, or refuse to perform his Duty in the due and speedy Execution of this present Act, the said respective Com-

Commissioners, or any two or more of them, may, and shall by vertue of this Act, have Power and Authority to commit such Assessor, Collector, or Receiver to Goal, till he or they have done his, or their Duty according to this Act; or to impose on such person or persons so refusing or neglecting their Duties, any Fine not exceeding Twenty pounds for any one Offence, at their Discretion; the same to be Levied and Certified as aforesaid, into his Majesty's Court of Exchequer, and Charged upon the respective Receivers amongst the rest of the rates aforesaid. And the said Commissioners, or any two or more of them, may, or shall from time to time call for, and require an Account from the respective Receivers, of all the Monies received by them, of the said Collectors, and of the payment thereof, according to the direction of this Act; and in case of any failure in the premises, the said Commissioners, or any two or more of them, are hereby required to cause the same to be forthwith Levied and paid according to the true intent and meaning of this Act: And in case of any Controversy arising between the said Commissioners, concerning the said Rates or Assessments, the Commissioners that shall be concerned therein, shall have no Voice, but shall withdraw during the Debate of such Controversy, until it be determined by the rest of the Commissioners; and in default thereof, that the Commissioners then present, shall have power, and are hereby required to impose such Fine or Fines, as to them shall be thought fit, upon such Commissioners so refusing to withdraw, not exceeding Twenty pounds, and to cause the same to be Levied
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and Paid, as other Fines to be imposed by vertue of this Act, are to be Levied and Paid; and all Questions and Differences that shall arise touching any of the said Rates, Taxes, Assessments, or Levies, and the Collecting thereof shall be heard and finally determined by Three or more of the Commissioners, upon Complaint thereof to them made by any person or persons thereby grieved, without further Trouble or Sute in Law: And the said Receiver-General, his Deputy, or Deputies, shall give acquittances Gratis, to the said Barony-Receiver, who shall likewise give Acquittances Gratis, to the said Parish-Collectors, for all Monies of them respectively Received, in pursuance of this Act; which Acquittances, shall be a full Discharge to said Collectors respectively: And the said Collectors shall make, and deliver to the said Receiver-General, their Deputy, or Deputies, a perfect Schedule, fairly Written in Parchment, under their Hands and Seals, Signed and Allowed by any two or more of the respective Commissioners, containing the Names and Surnames and places of aboad, of every person within their respective Collection, that shall make default of payment of any the Summs that shall be Rated or Assessed on such person by vertue of this Act; and the Summ and Summs charged on every such person, the same to be returned by him into His Majesty's Exchequer, whereupon every such person making default of Payment, may be charged by Process of the said Court according to the Course thereof in that behalf.

And be it further Enacted by the Authority aforesaid, That no Letters Patents Granted by

the King, or late Queen's Majesties, or any of their Royal Predecessors, or to be Granted by his Majesty to any person or persons, Cities, Burroughs, or Towns Corporate within this Realm, of any manner of Liberties, Priviledges, or Exemptions from Subsidies, Tolls, Taxes, Assessments, or Aids, shall be construed, or taken to exempt any person or persons, City, Burrough, or Town Corporate, or any of the Inhabitants of the same from the Burthen or Charge of any Summ or Summs of Money Granted by this Act; and all Non-Obstantes in such Letters Patents for any such purpose or intent, are declared to be void and of none effect.

And be it further Enacted by the Authority aforesaid, That all Constables, Head-Burroughs, and other his Majesty's Officers, shall, and are hereby Required and Enjoyned to be respectively Aiding and Assisting in the execution of this Act, and to obey and execute such Precepts, or Warrants as shall be to them Directed in that behalf, by the respective Commissioners hereby appointed, or to any two or more of them.

And be it further Enacted by the Authority aforesaid, That if any Action, Plaint, Suit, or Information, shall be Commenced or Prosecuted against any person or persons for what he or they shall do in pursuance, or in Execution of this Act, such person or persons so Sued in any Court whatsoever, shall, or may plead the General Issue, not Guilty, and upon any Issue joyned, may give this Act, and the Special Matter in Evidence, and if the Plaintiff or Prosecutor shall become Non-Suit, or for-
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bear further Prosecution, or suffer Discontinuance, or if a Verdict pass against him, the Defendant and Defendants shall recover Treble Costs, for which they shall have the like remedy, as in case where Costs by Law are given to the Defendant.

And be it further Enacted by the Authority aforesaid, That the respective Parents, Guardians and Tutors of every person under the age of One and twenty Years, shall upon Default of payment of such person, and upon demand pay what is due, and payable by this Act, for every such person Residing in their Family, or under their Tuition, as before herein is mentioned.

And be it further Enacted by the Authority aforesaid, That all Money due, and payable by this Act, shall be paid by the particular Collectors of the respective Counties, Cities, Burroughs, Towns, Parishes and places, who shall Collect the same unto the respective Barony Receivers, who shall pay the same unto such Receiver, or Receivers as shall by their Excellencies the Lords Justices, or other Chief Governour, for the time being, be appointed, as before is mentioned.

And be it further Enacted, by the Authority aforesaid, That the particular Collectors for payment of any Summs by them received unto such Barony Receiver or Receivers, shall not be obliged to Travel above Twenty Miles from the place of their habitation.

And be it further Enacted by the Authority aforesaid, That every Receiver of any Hundred, Barony, or Division, from time to time

Within the space of one Month next after he shall have received the full Summ that shall be Charged upon any Hundred, Barony, or Division, for each particular Quarterly Payments that is to be made to such Receiver, by Vertue of this Act, shall give the Commissioners who shall act in such Hundred, Barony, or Division, a Receipt under his Hand and Seal, acknowledging his Receipt of the full Summ Charged upon such Hundred, Barony, or Division, for such particular payment; and the Receipt of such Receiver, or Receivers, as shall be appointed by the Lords Justices of this Kingdom, or other Chief Governour or Governours of this Realm, for the time being, as aforesaid, to every Collector of any Barony, Hundred, or Division, for so much of the said Assessments as shall be contained in such Receipt, shall be a full Discharge to such Barony, Hundred, or Division, against his Majesty, his Heirs and Successors. And for preventing such Alterations, as might be occasioned by such Persons as shall be appointed to make Returns of such person and persons as make default of payment of the Summ or Summs on him, or them, Assessed by this Act. And to the intent, such person or persons may Return true Account or Accounts into his Majesty's Court of Exchequer, of such Summ of Money as shall not be Received by them, and every of them, their, and every of their Deputy, and Deputies.

Be it Enacted by the Authority aforesaid, That if any such person shall Return, or Certifie into the said Court, any Summ or Summs of Money to be in Arrear, or Unpaid, after the same hath been Received; such person or persons so

so making such Return or Returns, or shall cause any person or persons to be Set Insuper in the said Court, for any Summ or Summs of Money that hath been so Received, that then every such person or persons making such Returns, shall forfeit to every person or persons that shall be Molested, Harred or Damaged, by reason of such unjust Certificate, return, or setting Insuper, treble Damages that shall be thereby occasioned, the said Damages to be recovered by Action of Debt, Bill, Plaint or Information, in which no Essoin, Protection, or Wager of Law shall be allowed, nor any more then one Imparlance; and shall also forfeit unto his Majesty, his heirs and Successors, double the Summ that shall be so unjustly certified or returned, or caused to be set Insuper.

Provided always, That all Penalties and Forfeitures to be incurred for any Offences against this Act, for which there is no way for Levying herein before Prescribed or Appointed, shall be Levied by Warrant of any Two or more of the respective Commissioners of the Division or place, where any such Offence was, or shall be committed, by Distress, and Sale of the Goods of the Offenders, rendering the Overplus to the Owner thereof, after Deduction of reasonable Charges for Distraining the same.

And be it further Enacted by the Authority aforesaid, That the Commissioners in every County, at the General Meeting to be by them appointed, after all Appeals shall be first determined, shall cause Duplicates of the whole summs Charged within every Hundred, Barony, Ward, or place, Rated and Assessed in such County, in pursuance of this Act, without
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naming the persons, to be fairly Written in Parchment, and Ascertained under Three or more of their Hands, respectively to each Duplicate; and the same so by them Subscribed, and Ascertained, shall be jointly, and together delivered to the Sheriff of such County, and be by him Transmitted to the Exchequer, at, or before the Twenty eighth Day of February, in the Year of our Lord, One thousand Six hundred Ninety seven.

Provided always, That no person shall be capable of Acting as a Commissioner in the Execution of this Act, before he shall take the Oaths, and Subscribe the Declaration appointed by this Act, (viz.)

YOU shall Swear, That you will duly Execute the Act, Intituled, An Act for Granting a Supply to His Majesty, by Raising Money, by way of a Poll, as a Commissioner according to your best Skill and Knowledge, without Favour or Affection.

So help you God.

I A. B. do Sincerely Promise and Swear, That I will be Faithful, and bear True Allegiance to His Majesty King WILLIAM.

So help me God.

I A. B. do Swear, That I do from my Heart, Abhor, Detest, and Abjure, as Impious and Heretical, that Damnable Doctrine, and Position, that Princes Excommunicated, or Deprived by the Pope, or any Authority of the See of ROME, may be Deposed or Murdered by their Subjects, or any other whatsoever. And I do Declare that no Foreign Prince,

Prince, Person, Prelate, State, or Potentate, hath or ought to have any Jurisdiction, Power, Superiority, Preheminence, or Authority Ecclesiastical in Spiritual within this Realm.

So help me God.

I A. B Do Solemnly and Sincerely in the presence of God, Profess, Testifie and Declare, that I do believe that in the Sacrament of the Lords-Supper, there is not any Transubstantiation of the Elements of Bread and Wine, into the Body and Blood of Christ, at, or after the Consecration thereof, by any Person whatsoever: And that the Invocation, and Adoration of the Virgin MARY, or any other Saint, and the Sacrifice of the Mass, as they are now Used in the Church of ROME, are Superstitious and Idolatrous. And I do Solemnly in the presence of God, Profess, Testifie and Declare, That I do make this Declaration, and every part thereof in the Plain and Ordinary Sense of the Words Read unto me, as they are commonly understood by Protestants, without any Evasion, Equivocation, or Mental Reservation whatsoever; and without any Dispensation already Granted me for this purpose, by the Pope, or any other Authority, or Person whatsoever, or without Dispensation from any Person, or Authority whatsoever, or without believing that I am, or can be Acquitted before God or Man, or Absolved of this Declaration, or any part thereof, although the Pope, or any other Person or Persons, or Power whatsoever should Dispencc with, or Annul the same, or Declare that it was Null and Void from the Beginning.

Which said Two last Oaths and Declarations, are the same Oaths and Declaration intended also to be Administred to, and be Made and Subscribed by such (not being Quakers) as already have not taken the said Oaths, and Subscribed the said Declaration, to Excuse them from paying double, as aforesaid: Which Oaths and Declaration, it shall, and may be Lawful for any Two, or more of the Commissioners, to Administer, and take. And they are hereby Authorized and Required to Administer, and take the same, to, and from any other Commissioner. And in Case any Person Named a Commissioner, for putting in Execution this Act, shall presume to act as a Commissioner before he shall have taken the said Oaths, and Made, and Subscribed the said Declaration, he shall Forfeit to His Majesty, the Summ of Two hundred pounds.

And be it further Enacted by the Authority aforesaid, That every Householder shall upon demand of the respective Assessors of the severall Parishes, or Places, give an Account of the Names and Qualities of such persons as shall Sojourne or Lodge in their respective Houses, under the Penalty of forfeiting to His Majesty the Summ of Ten pounds to be Levied and Recovered in such manner as other Penalties in this Act mentioned, are to be Levied and Recovered.

And be it further Enacted, and Declared that Wherever any person or persons shall, or may be liable to be Taxed by vertue of this Act, in two or more Qualifications or Capacities, and shall also be so Taxed, that such person shall only pay in one of the said Capacities, or Qualifications,

fications, that is in such Capacity, or Qualification, which is most Beneficial for his Majesty. And be it further Enacted, That whereas there are several Summs of Money due to the People of this Kingdom, for Debts Stated and unstated, due by the Army for Quarters, before the four and Twentieth of June, One Thousand Six Hundred Ninety Two, that whatsoever Summ or Summs of Money shall be raised, Levied or Collected by virtue of this Act, over and above One Hundred Thousand Pounds, Sterling, payable in the first place unto his Majesty, shall and may be paid and applied towards the Discharge of the said Country Debts, Stated and Unstated, in just and equal proportions, as the several Debts so due bear proportion to the whole of the said Debts.

Provided alwaies, and be it further Enacted That no Foreign Protestant Refugee, nor any person who served as a Private Soldier in London-derry, or Eneskillen, during the late Siege of London-derry, and all Common Soldiers in his Majesty's Army, and Seamen in his Majesty's Fleet, all Matrosses in the Train of Artillery, and all Protestants who shall come into this Kingdom after the Sixth Day of November, One Thousand Six Hundred Ninety Seven, who have not now any Estate, or Interest in this Kingdom, shall be wholly exempt from paying any Summ whatsoever towards this present Poll.

And for as much great Abuses have formerly been Committed to the prejudice of his Majesty in the execution of the former Poll Act,

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under pretence of appealing against Asses-
ments made, which Appeals having been once
heard, and the Commissioners not having re-
fused the party appealing, but judging him
not to be Relievable within the intention of the
said Act, the said parties have notwithstanding,
been afterwards Relieved by other Commissioners
of Appeals, who have taken on them to re-
examine the said Appeal formerly heard and
determined.

Be it further Enacted, That no Appeal be-
ing once heard and determined, shall be re-heard
or re-examined, nor any new Appeal be received
for any matter, upon which, or upon any part of
which the said party hath formerly Lodged his
Appeal, and been heard to the same.

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For the better Execution of an

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Passed this present
Session of Parliament.
ENTITLED,
An Act for the better Suppressing
Tories, and Rapparees; and for prevent-
ing Robberies, Burglaries, and other
Hainous Crimes.



D U B L I N:
Printed by *Andrew Crook*, Printer to the King's Most Excel-
lent Majesty, on *Cork-Hill*, near *Copper-Alley*, 1697.

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An A C T to Supply the Defects,
and for the better Execution of an Act
passed this present Session of Parliament,
Entituled, *An Act for the better suppresssing
Tories and Rapparees; and for preventing
Robberies, Burglaries, and other hainous Crimes.*

C H A P. XXXIV.

Whereas an Act made in this present
Session of Parliament, Entituled, An
Act for the better suppresssing Tories
and Rapparees; and for preventing Robberies, Bur-
glaries, and other hainous Crimes: Hath not had it's
due Effect, by Reason there is not in the said
Act, sufficient Provision made for prevention of
Murthers and Maims, that shall, or may be
Committed by such Robber, Tory, or Rapparee;
As also, by Reason of other Defects in the said
Act, and some Doubts arisen on the same, and
Difficulties in Prosecution thereof.

For Remedy therefore of the said Defects, Ex-
plaining the said Doubts, and Rendering the
Execution of the said Act more easie.

Be it Enacted by the King's Most Excellent
Majesty; by, and with the Advice and Consent
of the Lords Spiritual and Temporal, and
Commons in this present Parliament Assembled,
and by the Authority of the same; That where
any person or persons, shall at any time after the
Sixth of November, One thousand Six hundred
Ninety seven, be Murthered, Maimed, or
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Dismembred by any Robber, Tory, or Rapparee, and the Offender, or Offenders, or the Major part of them shall not be Killed, or Apprehended, and brought before some Justice of the Peace, or other Magistrate, within Six Callendary Months, next after the committal of such Offence, in Order to his, or their being Prosecuted for the same, according to Law. The respective Grand Juries of the several Counties in this Kingdom, where such Fact shall be committed shall, and are hereby Required, at any Assizes, to be held for such County, within One Year after such Fact committed, to present, and charge upon the Popish, or Protestant Inhabitants of such County respectively, and proportionably, according as the Number of such Robbers, Tories, or Rapparees, shall be Papists, or reputed Papists, or Protestants, as is herein after mentioned, the Summs following: (That is to say) in Case of Murther, such Summ or Summs of Money, not exceeding Twenty pounds; and in Case of Maim, or Dismembering any person, such Summ or Summs of Money, not exceeding Ten pounds, as such Grand Juries on consideration had, of the Quality of the person Murthered, Maimed, and Dismembered, and circumstances of his Family shall think fit; such Summ, in Case of Murther, to be paid to, and for the Use of the Widow, and Children of the party Murthered; or if he shall not be Married at the time of his Death, then to the Use of his Children, or other next Relation: And in case of Maim or Dismembering of any person, then such Summ to be paid to the Use of the person, or persons, so Maimed, or Dismembered; or if he shall Dye before the Recovery thereof, then to the

the Use of his Widow, Children, or other Relations respectively, as is aforesaid, in Case of Murder: The said Summ or Summs, not be Assets in the hands of such Widow, Children, or Relations, or liable to answer, or satisfy any Debt or Debts, of the party Deceased; which Summ so to be Presented, shall be paid by such, and born by the persons in manner, and according to the proportions following: That is to say, Where such Robbers, Tories, or Rapparees are, or shall be Papists, or Reputed of the Popish Religion, by the Papists Inhabitants of such County; and Where such Robbers, Tories, or Rapparees are, or shall be Protestants, or Reputed to be of the Protestant Religion, by the Protestant Inhabitants of such County, and Where the said Facts shall be committed by Papists and Protestants, then by the Popish and Protestant Inhabitants of such County, in such proportion, and according to the number of such Papists and Protestants, as shall commit the same. For the Levying of which Summ, such Process in the Nature of an Execution, shall Issue on such Presentment against any one, or more of the persons chargeable therewith, and such Contribution had, Taxed, and Levied for his Relief, against all the other persons Chargeable therewith, as is herein-after Appointed in Case of Satisfaction, recovered for Losses, or Injuries suffered by such Robbers, Tories, and Rapparees.

And whereas the Method appointed by the said former Act, for the person or persons Robbed, or Damified, by such Robbers, Tories, or Rapparees, to Recover Satisfaction for such Damage, is Tedious, Difficult, and Chargeable.

Be it Enacted by the Authority aforesaid, That in all Cases where any person or persons is by the former Act, Entitled to Recover Amends, or Satisfaction for any Loss or Damage, Incurred, or Suffered by any Robber, Tory, or Rapparee; such person shall, or may pursue his Remedy for Recovery of such Satisfaction, or Amends, at the next Assizes, to be held for the said County, where such Offence was Committed, before the Judge or Judges of Assize, and Grand-Jury of the said County, to be Impannelled, and Sworn at the said Assizes, in the Method following: That is to say, The person or persons so Robbed, shall at the said Assizes, Exhibit and Deliber to the said Judge or Judges of Assizes, his, or their Petition, therein Praying such Satisfaction, and shall set forth in such Petition, the time and place, when, and where, such Robbery was Committed, or other Injury done to him or them, the several particular Goods Lost, or other particular Damages Suffered by him or them, and the particular Value thereof, and by what Number of persons such Robbery was committed, or Injury done, and of what Religion such Offender or Offenders, or any of them were, with the Names and Descriptions of such of the said Offenders as he doth know, and such particular Descriptions of such others of them as he can give; and the said matter shall thereupon, be Examined by such Judge or Judges of Assizes, in open Court, in the presence of such Grand-Jury, on the Oath of the party Robbed, or Injured, and such other Evidence as can be produced touching the said Facts, according to the nature thereof, and the said Grand-Jury shall thereupon,

upon, and are hereby Required, on Consideration of the said Matter, amongst themselves, to make such Presentment touching the same, and of such Summ or Summs of Money, as the person or persons so Robbed or Injured, by such Offenders, ought to have, or receive for such Loss, Injury, or Damage, and by what persons, whether Papists or Protestants, and in what Proportions for each of them, the same ought to be paid, for which Summ so Presented and Set, Process shall Issue, in the nature of an Execution against any Inhabitant, or Inhabitants of the said County, chargeable therewith, and all, and every the Inhabitants of the said County, who shall by such Presentment be made Chargeable with, or Liable to all, or any part of the said Damages, shall be Rateably, and proportionably Taxed for, and towards an equal Contribution for relief of such Inhabitant or Inhabitants, against whom such Process, in the nature of an Execution, is had; which Tax shall be Made, Levied, and Raised, by such Ways and Means, and in such Manner and Form, as is prescribed and mentioned in a former Statute, Intituled, An Act for the following Hue and Cry, made in the Tenth and Eleventh Year of the Reign of King Charles the First, in this Kingdom.

Provided always, and it is hereby Enacted, That if any person or persons shall find him, or themselves Agrieved, by any Presentment to be made in pursuance of this, or the former Act, such person or persons, in Case the Summ presented to be Raised, do exceed the Summ of five pounds, shall, or may at the said Assizes Traverse the same, which Traverse, shall be Tried

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at the same, or the next ensuing Assizes, as the Judge or Judges, who shall allow the same, shall think fit: And if on such Traverse, the Issue shall be found for the Traverser, such Presentment shall be Discharged; and if the Issue shall thereupon be found against the Traverser, he, or they, so Traversing, shall pay to the person or persons, on whose behalf the Presentment was made, the Summ of Twenty Shillings for the Costs of such Traverse, and the said Presentment, shall thereupon be final and conclusive to all persons.

Provided further, and it is hereby Enacted, That Where the person or person so Robbed, or Injured, doth intend to proceed to recover Satisfaction for the same, at any Assizes, against the Popish or Protestant Inhabitants of any Barony, such person or persons, shall leave notice in Writing, with the High-Constable of such Barony, of such his intentions, and against what Inhabitants, whether Papists or Protestants, by the space of Eight days, at least, before such Assizes; to the end that such High-Constable may give publick notice thereof to the Inhabitants of the said Barony, designed to be charged therewith, that they may be provided, and have an opportunity to bring Evidence for themselves, and oppose the making such Presentment, or otherwise may Traverse such Presentment, after the same is made, if they shall think fit.

And it is hereby further Provided, That no such Presentment to be hereafter made, shall at any time be removed by Certiorari, or the Prosecution thereupon otherwise delay'd, then by such Traverse, as aforesaid; and that for such time only, as shall be necessary for the Tryal of such Traverse,

Traverse, as aforesaid; nor shall any such Presentment be at any time quashed for any Informality, Imperfection, or Defect in form whatsoever.

Provided further, and it is hereby Enacted, That when, and as often as any of the Goods, for which the party so Robbed, hath received Satisfaction by such Presentment, as aforesaid, shall be discovered, so as the same, or Satisfaction for them may be recovered, the person or persons upon whom the Summ so Presented, as aforesaid, was Levied, shall have the same, and the property thereof, is hereby Declared and Enacted to belong unto, and be Vested in him or them, and he or they shall or may maintain such Action, and pursue such Remedy for the recovery and getting such Goods, as the person or persons Robbed might have, had or maintained, before such Satisfaction received by such Presentment for the same, as aforesaid: Such Goods nevertheless, after the same shall be so gotten or recovered, to be Sold for the Most the same will Perild, and the Money made by such Sale, after the Charges for the recovery thereof are deducted, to be distributed, and paid equally and proportionably unto, and among the several persons so Tared; towards the payment of the Summ contained in the said Presentment, according to each of their said several Tareations, towards the relief of the Persons on whom the Summ Presented was Levied: such Sale and Distribution, to be Directed, Settled, and Ordered by the Justice, or Justices of the Peace, Signing such Tareation; who are hereby Authorized and Required, to Direct, Settle, and Order the same accordingly.

C

And

And it is hereby further Enacted by the Authority aforeſaid, That the Clerk of the Crown, for the County, where ſuch Preſentment ſhall be made, ſhall on request to him made, make and deliver to any perſon or perſons, deſiring the ſame, true Copies, Signed by him, of all ſuch Preſentments hereafter to be made, in purſuance of this, or the ſaid former Act; and of all Warrants or Orders for the Levying of any Money grounded thereupon; for each of which, there ſhall be paid to the ſaid Clerk of the Crown, the Summ of One ſhillings only, and no more, and ſuch Clerk of the Crown, is hereby required to make and deliver the ſame accordingly.

Provided always, That this Act, or any thing herein contained, ſhall not extend, or be conſtrued to extend, to annul, or make void any Verdict, Judgment, or other Proceedings already had or obtained in purſuance of the ſaid former Act, but that the ſame ſhall continue, and be as good, and effectual, to all intents and purpoſes, as if this Act had never been made, any thing herein contained to the contrary thereof, in any wiſe notwithstanding.

Provided always, and it is hereby further Enacted, That during the continuance of this and the ſaid former Act, no Action or Sute ſhall be brought, or proſecuted, for recovery of any Satisfaction or Damages for any Robbery committed, or Riots, or Injury ſuſtained, for which remedy is given by this, or the ſaid former Act, or any other Law or Statute whatſoever.

And

And be it further Enacted by the Authority aforesaid, That if any person or persons, who already hath, or hereafter shall commit any Robbery or Burglary, shall while he is at large, and before he shall be Apprehended, or in Custody for such Offence, make Discovery of any Two, or more, of such Robbers, Tories, or Rapparees, being also at large, and not in Custody, so as such Two, or more Robbers, Tories or Rapparees, shall thereupon be Apprehended, and Convicted for such Offence, or shall Kill any Two, or more, of such Tories, or Robbers, as shall be Indicted, and Proclaimed, according to the said former Act, and be out on their keeping, at the time of such their being Killed, the person or persons so making such Discovery, or Killing such Robbers, or Tories, as aforesaid, shall not be proceeded against, for any Robbery, or Burglary, by him or them committed, before the making such Discovery, or such Killing, as aforesaid; but shall be Intituled unto, and shall have, and receive His Majesty's Gracious Pardon for the same; which Pardon shall in such Case, also be a good Bar to any Appeal, to be brought for such Robbery, or Burglary; and for that it hath, and may be doubted, whether on the bringing such Proclaimed Tory, Rapparee, or Robber to the Bar, before such Judge or Judges, as are Impowered to Try, and Pass such a Sentence on him, it be requisite to give in Evidence against him, the Original Presentment made by the Grand Jury, of his being a Tory, Rapparee, or Robber, out on his keeping, according to the intent and meaning of the said former Act: And also it hath, and may be doubted, whether the Original Proclamation

mation, under the Great Seal, grounded on such Presentment, must be produced in Evidence against him, or Whether the Printed Proclamation Reciting such Presentment to be made, and returned to the Clerk of the Council, of his, the said Tories, Rapparees, or Robbers being so Presented shall be sufficient Evidence at Law, wherein to give Judgment against him.

For clearing whereof, and that for the future so good and necessary a Law, for the Quiet and Preservation of His Majesty's good Subjects against such Proclaimed Tories, Rapparees and Robbers, may not by any such Scruples and Niceties be eluded, or the Execution thereof delayed.

Be it Enacted by the Authority aforesaid, That at all times hereafter, during the continuance in Force of this, or the said former Act, the Printed Proclamation, wherein any person is named, or mentioned to be Presented, by a Grand-Jury of any County in this Kingdom, at the General Assizes, or Quarter-Sessions, held for the said County, to be a Tory, Rapparee, or Robber, out on his Keeping, shall be taken, deemed, and adjudged sufficient Evidence against such Tory, Rapparee, or Robber.

Provided, That before such Proclamation is given in Evidence, the Clerk of the Council for the time being, or his Deputy, do Certifie under his Hand and Seal, on the Back of such Proclamation, That he hath such Presentment, as by the said Act is required, Returned to him, and remaining in his Office, wherein the said Tory, Rapparee, or Robber is by name Presented, to be a Tory, Rapparee, or Robber,

out
robber

out on his Keeping, by the same Name that he is Named, or Stiled in the said Proclamation, and that the said Proclamation was grounded thereon, and that the Original Proclamation, under the Great Seal, agrees Verbatim with the Printed Proclamation, whereon he has written such his Certificate, which Proclamation, with such Certificate endorsed thereon, the said Clerk of the Council, for the time being, or his Deputy, shall send to the several Clerks of the Crown in this Kingdom, without any Fee or Reward.

And be it further Enacted, That this, and the former Act, shall continue in Force, for Seven Years, from the Sixth of November, One thousand Six hundred Ninety Seven, and to the end of the next Session of Parliament, after the Expiration of the said Seven Years, and no longer.

FINIS.

A N
A C T
For the Preventing
FRIVOLOUS,
A N D
VEXATIOUS
Law-Sutes;
A N D

Giving Remedy to the Parties
Grieved, to Recover their Costs at Law,
in certain Cases, where heretofore no
Costs were given.



D U B L I N:

Printed by *Andrew Crook*, Printer to the King's
Most Excellent Majesty, on *Cork-Hill*, near
Copper-Alley. MDC XCVII.

A. C. T.
REVOLUTION
EXATIOUS

Giving Remedy to the Patient
to recover their Case at Law
in certain Cases, where Recovery of
Costs was given



PRINTED BY
JOHN WOOD, Printer to the King
at the Stationers' Hall, in Great Britain
Cotton-Street, West-End, London

An A C T for the Preventing Frivolous, and Vexatious Law-Sutes, and giving Remedy to the Parties Grieved, to Recover their Costs at Law, in certain Cases, where heretofore no Costs were given.

C H A P. XXXV.

WH E R E A S it is found by daily Experience, in the Courts at Law, that divers Malicious, and Evil Disposed persons, on purpose, without any just Cause of Sute, do make several Innocent persons, Defendants, joyntly with others, against whom they conceive they have good Cause of Action; and so, tho' such Innocent person or persons, so joined in the said Action, shall be found (not Guilty) and Acquitted of the said Action; Yet if any of the other Joint Defendants shall be found Guilty, and a Verdict pass against them, by the Common Laws of this Realm; such Defendant, or Defendants so Acquitted, after all his, or their Trouble and Expence, in Defending such Action, is without Remedy to recover any Costs of Sute against such Plaintiffs, for such his, or their unjust Vexation, contrary to all Reason and Justice. For Remedy whereof:

Be it Enacted by the King's Most Excellent Majesty; by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same, That from, and after

after the first Day of May, which shall be in the Year of Our Lord God, One thousand Six hundred and Ninety eight; if any person or persons, shall be made Defendant, or Defendants with others, in any Action, Suite, or Plaint, in Trespass Quare Clausum fregit, or Trespass of Assault and Battery, and such person or persons, so joyned in such Action, shall upon Tryal of the same, be Acquitted by Verdict, altho' the other Defendant, or Defendants, in such Action, shall be found Guilty, and a Verdict pass against him, or them therein, every such person and persons so Acquitted, shall have, and Recover his, and their Costs of Suite, for such his, and their unjust Vexation, as if a Verdict had been given against such Plaintiff, or Plaintiffs, or a Verdict had been given for all the Defendants in such Action, unless the Judge or Judges, before whom such Cause shall be Tried, shall immediately after the Tryal thereof, in open Court, Certifie upon the Record under his hand, that there was a reasonable Cause, for the making such person or persons, Defendant or Defendants to such Action or Plaint.

And whereas by the Law, as it now stands, no Costs of Suite can be awarded, or given to any person or persons, in any Action that shall happen to recover, or have any Judgment given for him upon any Demurrer in Law, by reason whereof many contentious persons, make use of such manner of Delays, on purpose to keep others from their Just Right, or otherwise intending thereby, to weary them into some small Composition, for what is really due unto them.

For

For Remedy whereof, be it further Enacted,
That if it at any time from, and after the said
First Day of May, any person or persons, who
shall Commence, or Prosecute any Action, or
Plaint, in any Court of Record, whereupon any
Demurrer, or Demurrers shall be joyned, by
any Plaintiff, or Defendant, Demandant, or Ten-
nant, in any such Sute or Sutes, he or they,
for whom Judgment or Judgments shall be
given, upon any such Demurrer or Demurrers,
shall have, and recover, his and their Costs of
Sute, to be awarded by the Court in such like
manner, as if such Judgment or Judgments
had been given, or recovery had by such party
or parties, upon Action tryed by Jury, and Ver-
dict passed for such party therein; and that if
any person or persons, from, and after the
First Day of May, as aforesaid, shall obtain
such, or any other Judgment or Judgments,
in any his Majesty's Courts of Record in this
Kingdom, or any the Courts of the County
Palatine of Tipperary, and the person or per-
sons against whom such Judgment or Judg-
ments shall be so given, shall in delay of Exe-
cution thereupon, and with intent to annul such
Judgment or Judgments, sue forth any Writ or
Writs of Error; and afterwards the said Judg-
ment or Judgments, shall be Affirmed, or the said
Writ or Writs of Error discontinued, or the
Plaintiff or Plaintiffs therein, become Non-sute;
that then, and in every such Case, the party
or parties against whom such Writ or Writs
shall be so brought, shall recover his and their
Costs and Damages, at the discretion of the
Justices before whom such Writ or Writs
shall be so Sued, and to have Execution for
such

such his or their Damages or Costs, so recovered by Writs of Capias ad Satisfaciendum, Fieri Facias, or Elegit, or any of them, at the Election of such Party or Parties for whom such Damages and Costs shall be so awarded.

And whereas by the Laws of this Realm, no Costs of Sute are Recoverable in any Action of Waste, or Debt, to be brought upon the Statute, for not setting forth of Tiths, nor in any Writ of Scire Facias, or Prohibition, which hath been found very Mischievous and Prejudicial to the Sutors in such Actions, and to such Persons, as for the recovering their just Rights have been forced to Sue forth the same. For Reformation Whereof, for the future.

Be it further Enacted by the Authority aforesaid, That from, and after the First day of May, aforesaid, if any person or persons bring any Action of Waste, or Action of Debt, upon the Statute, for not setting forth of Tiths, in which said several Actions, the Single Value, or Damage found by the Jury, or Juries, in any such Action, shall not exceed the Summ of Three pounds, the Plaintiff or Plaintiffs recovering, either by Judgment upon Verdict, or Demurrer in such Action or Actions, shall likewise have and recover his and their Costs of Sute, at the like Discretion of the Justices before whom such Writ or Writs shall be brought, and Judgment or Judgments therein given, as also if any person or persons shall after the time aforesaid, Sue forth any Writ or Writs of Scire Facias, or Commence any Sute or Sutes in prohibition, and recover, and have Judgment in the same, either by Verdict or upon Demurrer, every such Plaintiff or Plaintiffs

Plantiffs so recovering, shall likewise have, and recover his and their Costs of Sute in such Action or Actions, at the Discretion of the Justices, before whom such Recovery shall be so had; and if it shall happen in any the Sutes aforesaid, that the Plaintiff or Plaintiffs in such Action or Actions, shall become Non-Sute, or Verdict, or Verdicts pass against him or them, in such Sute or Action, or he, or they shall discontinue such his or their Sute or Action: Then (in all such Cases) the Defendant, or Defendants, in such Action or Actions, shall have and recover his and their Costs of Sute in such manner as such Plaintiff or Plaintiffs should have done, if he or they had Recovered, and had Judgment given for them in such Action or Actions, as aforesaid, any Law, Custom, Practice, or Usage to the contrary thereof, in any-wise notwithstanding.

And that in all the Actions aforesaid, where any of the party or parties to the same, shall so recover their Costs of Sute, it shall, and may be Lawful to, and for them, or any of them to Sue forth Execution for such his or their Costs by Writs of Capias ad Satisfaciendum, Fieri Facias, or Elegit, as aforesaid.

And for the preventing Willful and Malicious Trespasses, to be brought for the future.

Be it further Enacted, that from and after the First day of May aforesaid, in all Actions of Trespass to be Commenced and Prosecuted in any of His Majesty's Courts of Record at Dublin; wherein at the Tryal of the Cause it shall appear, and be Certified by the Judge, or Judges, before whom such Cause shall be Tried under his or their Hands, on the back of the Record,

Record, that the Trespasse upon which any Defendant shall be found Guilty, was Willfully and Maliciously committed; In every such Case, the Plaintiff shall not only recover his Damages, assessed by the Jury, but his full Costs of Sute, to be Taxed for him by the Direction of the Court, where such Action shall be Tryed.

Provided nevertheless, That no Alteration of the same shall be made in any the Cases aforesaid, where any Executor or Administrator shall be Defendant, in any the Actions, or Sutes aforesaid, so at any time hereafter to be brought against them; but that in all such Cases, they shall not be lyable, or subject to payment of any Costs of Sute, otherwise, or in any other manner then as the Law, now requires.

And for the preventing the Abatement and Discontinuance of Proceſs for the future, in certain Cases, and the helping the Law in the particulars following.

Be it likewise Enacted by the Authority aforesaid, That in all Actions to be Commenced, or brought in any Court of Record within this Kingdom, from, and after the First day of May aforesaid, if it shall happen that any person or persons, being Plaintiff or Plaintiffs in such Action or Actions, shall die after he or they shall have obtained any Interlocutory Judgment, or Judgments, in such Action or Actions, and before a full and final Judgment or Judgments given therein, the Death of such Plaintiff or Plaintiffs, shall not abate such Action or Actions or hinder the further proceedings of such Cause, but that notwithstanding such dying of such Plaintiff or Plaintiffs, his or their Executors,

ctors, or Administrators, may proceed to Final Judgment against the Defendant or Defendants, in such Action or Actions, as is hereafter set forth. (If such Action or Actions, shall happen to be such, as by Law may, or might have been Commented, or Maintained Originally by any Executor or Administrator) as such Plaintiff or Plaintiffs aforesaid, might have done, if alive. And if it shall happen, that in any such Action or Actions, the Defendant or Defendants in the same, shall die after such Interlocutory, and before such Final Judgment or Judgments obtained, as aforesaid, such dying shall not abate such Action or Actions, but that then, notwithstanding the Death of such Defendant or Defendants, it shall and may be Lawful to, and for such Plaintiff or Plaintiffs, in such Action or Actions, if Living, and if Dead, his Executor or Administrator, to Prosecute such their Action or Actions against the Executors or Administrators of such Defendant or Defendants, and proceed against them to Final Judgment therein, as is likewise hereafter in that behalf set forth and provided, as if the said Defendant or Defendants, themselves, had been Living; if such Action or Actions be such as may, or might by Law be Originally brought and prosecuted against an Executor or Administrator.

And that in Case of the Death of such Plaintiff or Plaintiffs, as aforesaid, it shall, and may be Lawful to, and for his, and their Executors, or Administrators, or any of them, to Sue forth, and Prosecute one, or more Writ or Writs of Scire facias, against the Defendant or Defendants, in such Action or Actions, if then Living, or if Dead, against the Executors, or Admini-
strators

Executors of such Defendant or Defendants, for
 Reviving and Continuing such Sute, or Sutes,
 till Judgment final shall be given therein; and
 in Case of the Death of such Defendant, or De-
 fendants, as aforesaid, it shall and may be law-
 ful, to, and for such Plaintiff or Plaintiffs (if li-
 ving) and if Dead, his or their Executors, or
 Administrators, or any of them, in like manner
 to sue forth, and prosecute one, or more Writ,
 or Writs of Scire Facias against the Executors,
 or Administrators of such Defendant, or De-
 fendants, for Reviving and Continuing such
 Sute or Sutes, till Judgment final shall be
 given therein; as aforesaid; the Effect of which
 said Writ, or Writs of Scire Facias, shall be
 for the party or parties against whom the same
 shall be Awarded, to shew cause, why notwith-
 standing, such the Death of any the parties to
 such Sute or Sutes, aforesaid; The Plaintiff,
 or Plaintiffs in the said Writ or Writs, of
 Scire Facias, his, or their Executors, or Admini-
 strators, should not proceed to Judgment final
 therein, for the Recovery of such Debt or Da-
 mage, for which such Action or Actions, was
 at first brought. And if at the Return of such
 Writ or Writs, of Scire facias, the Defendant
 or Defendants, named therein, shall appear,
 but not shew sufficient Cause to stay, or Ar-
 rest the Judgment final, or in default of such
 Appearance, it shall be Returned, that such
 Defendant or Defendants were duly War-
 ned, or after Two such Writs of Scire Facias re-
 turned; it be returned that the said Defendant,
 or Defendants could not be found in the Bai-
 lwick where such Summons Issued, or that
 they had nothing in the said Bailwick, by which
 they

they, or any of them could be Summoned, that then, in every such Case, One or more Writ, or Writs of Inquiry of Damage, shall be Awarded for the Plaintiff or Plaintiffs, in such Writ, or Writs of Scire Facias, against such Defendant, or Defendants therein named; upon return of which said Writ, or Writs of Inquiry, duly Executed, Judgment final shall be given for every such Plaintiff or Plaintiffs, against every such Defendant or Defendants, in such Writ, or Writs of Scire Facias, as aforesaid.

And be it further Enacted, for the Purposes aforesaid, That if at any time after the time Limited, as aforesaid, Two or more persons shall be Joynely Plaintiffs in any Action or Actions, against Two or more persons, likewise Joynely named Defendants therein, the Death or Deaths, of One or more of such Plaintiff or Plaintiffs, or such Defendant or Defendants, shall not abate such Writ or Writs, in such Action or Actions, but that the same being suggested upon the Roll, or Record, of such Action or Actions, it shall, and may be lawful to, and for the Surviving Plaintiff or Plaintiffs, in such Action or Actions, to proceed to Judgment against the Surviving Defendant or Defendants, in the same, as if such Death had not been.

And whereas by the Law, as it now stands, if any Action or Sute be Commenced, or brought upon any Bond, or other penal Summ, for performance of Covenants, or other Agreements, in any Deed or Indenture; The party that brings the same, can Assign only One Breach of Covenant, altho there are in Truth several Breaches Committed, of which the party Plaintiff in such Action, can have no Benefit, or Reparation, not with-

withstanding, that he is really Damaged by Reason thereof. For Remedy whereof.

Be it further Enacted by the Authority afore-
said, That in all Actions, which from and af-
ter the said First Day of May, shall be Commen-
ced, or Prosecuted in any of His Majesty's Courts
of Record, in this Kingdom, or any the Courts
of the County Palatine of Tipperary, upon any
Bond or Bonds, or on any Penal Summ, for
Non-performance of any Covenants, or Agree-
ments, in any Indenture, Deed, or Writing
contained, the Plaintiff or Plaintiffs, may Assign
as many Breaches of the said Covenants, or A-
greements, as he, or they shall think fit: And
thereupon, it shall and may be Lawful, for the
Jury, upon such Tryal of such Action or Actions,
not only to Assess such Damages, and Costs of
Sute as have been heretofore usually done in
such Cases; but also to give Damage for such
of the said Breaches, so to be Assigned, as such
Plaintiff or Plaintiffs, upon such Tryal of the
Issues taken therein, shall prove to have been
Broken, and that the like Judgment or Judg-
ments shall be Entred on every such Verdict or
Verdicts, as heretofore have been usually done in
such like Cases. And if it shall happen, that
such Defendant or Defendants, shall not Plead
to the Issue, but Judgment shall be given a-
gainst him or them for such Plaintiff or Plai-
tiffs, upon Demurrer, or by Nihil dicit, Non sum
Informatus, Cognovit Action. or the like; then, and
in such Case, it shall and may be Lawful, to,
and for such Plaintiff or Plaintiffs, to suggest up-
on the Roll of Record, in such Action or Actions,
such, and as many Breaches of the said Cove-
nants and Agreements, as he or they shall think
fit,

sit upon which said Suggestion, one, or more Writ,
 or Writs, shall Issue, directed to the Sheriff of that
 County, where such Action or Actions shall be
 brought, to Summon a Jury to appear before the
 Justice, or Justices of Assize, or Nisi prius, at
 their next coming into that County, to enquire of
 the Truth of every one of those Breaches, and
 such Jury, to Assess the said Damages sever-
 rally, which the said Plaintiff or Plaintiffs shall
 have sustained, for every of the said Breaches so
 Assigned, as aforesaid; in which said Writ, it
 shall be likewise Comanded to the said Justice,
 or Justices of Assize, or Nisi prius, before whom
 such Damages shall be so given, that he, or they
 shall make a full and certain Return of the said
 Writ or Writs, and the due Execution there-
 of to the Court from which the same shall so
 Issue, according to the Exigency thereof, and
 the time therein mentioned; which said Writ
 or Writs so returned, shall be filed, and there-
 upon Judgment or Judgments, shall be En-
 tred in the said Court, on such Return, as in
 Cases of Writs of Enquiry of Damages, of
 the like nature. And in Case the Defendant
 or Defendants, after such Judgment Entred,
 and before Execution Executed, shall pay into the
 Court, where the said Action shall be brought,
 to the use of the Plaintiff or Plaintiffs, his or
 their Executors, or Administrators, such Da-
 mages so Assessed by the Jury, by reason of
 all, or any the Breaches of such Covenants, to-
 gether with the Costs of Sute, that then a Stay
 of Execution shall be Entred upon the Record
 of the said Judgment, and made accordingly for
 that time, as also, whensoever it shall happen,
 that by reason of any Execution Sued forth,

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and

and Executed upon such Judgment, the Plaintiff or Plaintiffs, his or their Executors, or Administrators, shall be fully Satisfied or Paid, all his or their Debt or Damages so Assessed, or the Penalty of such Bond, or Bill penal, at the Election of the Defendant, together with his or their Costs of Sute, and all reasonable Charges and Expences for Executing the said Execution; that then, and from thenceforth, the Body, Goods, and Lands of such Defendant, shall be discharged from such Execution, which said Discharge, shall likewise be Entred upon the Record of the Roll of the said Judgment. Yet it is hereby declared, That notwithstanding such Discharges, or Stay of such Executions, and the Entry or Entries of either, or any of them, as aforesaid, upon Record, where such Damages do not amount to the Penalty of such Bond or Bill Penal, such Judgment or Judgments, shall still remain, continue, and be in full Force, Vigour, and Effect to the purposes hereafter mentioned (That is to say) As a further Security to answer to such Plaintiff or Plaintiffs, and his, or their Executors, or Administrators; all such Damages as shall, or may be at any time afterwards sustained, for, or by reason of any further Breach of any the Covenant or Covenants in such Indenture, Deed, or Writing contained, if any such shall happen to be, and no Satisfaction be made for the same, as aforesaid, as far as the Remainder of such Penalty, after the payment of the Damage formerly Recovered out of the same, will reach; upon which said Breach or Breaches, such Plaintiff, or Plaintiffs may have, and shall be at Liberty to Sue forth a Writ of Scire facias upon the said Judgment against

against such Defendant or Defendants, his, or their Executors, or Administrators, or against his Heirs, or Ter-tenants, Grounded upon Suggestion of other Breach or Breaches of the said Covenants or Agreements, upon the Roll of the said Judgment, as aforesaid; and thereupon to Summon him or them respectively to shew Cause why Execution should not be had or awarded upon the said Judgment; upon which, there shall be the like proceedings as was in the Original Action of Debt, brought upon the said Bond or Obligation, for Assessing of Damages, upon Tryal of Issues, Joyned upon such Breaches; or in Case of Default upon a Writ of Inquiry thereof, to be awarded in manner as aforesaid.

Provided always, That upon Payment, or Satisfaction to be made of all such future Damages, Costs and Charges, in manner as aforesaid, or of so much of such future Damages as the Remaining Summ of the Penalty of such Bond or Bill Penal, after Payment and Satisfaction for the Damages formerly recovered will extend unto, together with Costs of Sute, all further proceedings, or the said Judgment shall again be stayed, and so Toties quoties (as Occasion shall Require) upon every new Breach, the said Judgment to be made use of as far as aforesaid, and no further, and upon Satisfaction made in manner aforesaid, the Defendant his Body or Goods and Lands to be again Freed and Discharged out of Execution, as aforesaid.

FINIS.

A N
A C T
To Prevent
F R A U D S
B Y
Clandestine Mortgages.

A N
A C T
For the more
E A S Y
OBTAINING
Partitions of Lands.

I N
Coparcenary Joyn-tenancy, and Tenancy
in Common, and Bounding and Mearing of
Lands.



D U B L I N :
Printed by *Andrew Crook*, Printer to the King's Most Excel-
lent Majesty, on *Cork-Hill*, near *Copper-Alley*, 1697.

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An ACT to Prevent Frauds, by Clandestine Mortgages.

C H A P. XXXVI.

WHEREAS great Frauds and Deceits, are too often Practised by Necessitous and Evil disposed persons, in Borrowing of Money, and giving Judgments, Statutes, and Recognizances privately, for securing the Re-payment of the said Money; and the same persons do afterwards Borrow Money, upon Security of their Lands, of other persons, and do not acquaint the latter Lender thereof with the same, whereby such latter Lender is very often in danger to lose his whole Money, or forced to pay off the Debts secured by the said Judgments, Statutes, and Recognizances, before they can have any Benefit of the said Mortgages.

And whereas divers persons do many times Mortgage their Lands more then once, without giving Notice of their first Mortgage, whereby Lenders of Money, upon Second, or after Mortgages, do often lose their Money, and are put to great Charges in Sutes, and otherwise.

For Remedy Whereof, and Preventing the same, as much as may be for the Future, May it please Your Sacred Majesty, that it may be Enacted.

And be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent

sent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That if any person or persons, from, and after the first Day of April, which shall be in the Year of Our Lord God, One thousand Six hundred and Ninety eight, shall Borrow any money, or for any other Valuable consideration, for the payment thereof, voluntarily Give, Acknowledge, Permit, or Suffer to be Entred against him or them, One or more Judgment or Judgments, Statute or Statutes, Recognizance or Recognizances, to any Person or Persons, Creditor or Creditors; and if the same Borrower or Borrowers, Debtor or Debtors, shall afterwards Take up, or Borrow any other Summ or Summs of money, of any other person or persons, or for other Valuable consideration, become Indebted to such person or persons; And for Securing the Re-payment, and Discharge thereof, shall Mortgage his, her, or their Lands or Tenements, or any part thereof, to the said Second, or other Lender, or Lenders of the said money, Creditor or Creditors, or to any other person or persons in Trust, for, or to the Use of such Second, or other Lender or Lenders, Creditor or Creditors, and shall not give Notice to the said Mortgage or Mortgagees, of the said Judgment or Judgments, Statute or Statutes, Recognizance or Recognizances in Writing, under his, her, or their Hand or Hands, before the Execution of the said Mortgage or Mortgages, unless such Mortgager or Mortgagees, his, her, or their Heirs, upon Notice to him, her, or them, given by the Mortgagee, or Mortgagees of the said Lands and Tenements, his, her, or their Executors, Administrators, or Assigns

Assigns in Writing, under his, her, or their Hands and Seals, Attested by Two or more sufficient Witnesses, of any such former Judgment or Judgments, Statute or Statutes, Recognizance, or Recognizances, shall within Six Months after such notice given, pay off, and Discharge the said Judgment or Judgments, Statute or Statutes, Recognizance or Recognizances, and all Interest, and Charges, due thereupon, and cause, or procure the same to be Vacated, or Discharged by Record. that then the Mortgager or Mortgagers, of the said Lands and Tenements, his, her, or their Heirs, Executors Administrators, or Assigns, shall have no Benefit, or Remedy against the said Mortgagee, or Mortgagees, his, her, or their Heirs, Executors, Administrators, or Assigns, or any of them in Equity, or elsewhere, for Redemption of the said Lands and Tenements, or any part thereof; but the said Mortgagee and Mortgagees, his, her, or their Heirs, Executors, Administrators, and Assigns, shall and may hold, and enjoy the said Lands and Tenements, for such Estate, and Term therein as were or was Granted and Settled, to the said Mortgagee or Mortgagees, against the said Mortgager, or Mortgagers, and all person and persons, lawfully Claiming, from, by or under him, her or them, Freed from Equity of Redemption, and as fully to all Intents and Purposes, whatsoever, as if the same had been purchased absolutely, and without any Power, or Liberty of Redemption.

And be it further Enacted by the Authority aforesaid, That if any person or persons, who have, or hath once Mortgaged, or from, and after

the said first Day of April, shall Mortgage any Lands or Tenements, to any person or persons for Security of Money Lent, or otherwise Accrued, or become Due, or for other Valuable Considerations; and if the said Mortgager or Mortgagers, shall again Mortgage the same Lands or Tenements, or any part thereof, to any other person or persons, for Valuable Considerations; the said former Mortgage being in Force, and not Discharged, and shall not discover to the said Second, or other Mortgagee or Mortgagees, or some, or one of them, the former Mortgage or Mortgages, in Writing under his or their Hands; that then, and in those Cases also, the said Mortgager or Mortgagers, his, her, or their Heirs, Executors Administrators, or Assigns, shall have no Relief, or Equity of Redemption against the said Second, or after Mortgagee, or Mortgagees, his, her, or their Heirs, Executors, Administrators, or Assigns, upon the said after Mortgage, or Mortgages, but that such Mortgagee or Mortgagees, his, her, or their Heirs, Executors, Administrators, and Assigns, shall, and may hold and Enjoy such, more then once Mortgaged Lands and Tenements, for such Estate and Term therein, as were, or was Granted, and conveyed by the said Mortgager or Mortgagers, against him, her, or them, his, her, or their Heirs, Executors or Administrators respectively, Freed from Equity of Redemption, and as fully to all Intents and Purposes, as if the same had been an absolute purchase, and without any Power, or Liberty of Redemption.

Provided always, and be it further Enacted by the Authority aforesaid That nevertheless,
if

if it so happen, that there be more then one Mortgage, at the same time made by any person or persons, to any person, or persons, of the same Lands and Tenements, the severall late, or under Mortgagees, his, her, or their Heirs, Executors, Administrators, or Assigns, shall have Power to Redeem any former Mortgage or Mortgages, upon payment of the Principal Debt, Interest, and Costs of Sute, to the Prior Mortgagee or Mortgagees, his, her, or their Heirs, Executors, Administrators, or Assigns, any thing herein contained to the contrary thereof, in any wise notwithstanding.

Provided always, that nothing in this Act contained, shall be Construed, Deemed, or Extended, to Bar any Widow of any Mortgager of Lands or Tenements, from her Dower and Right, in, or to the said Lands, who did not Legally Joyn with her husband in such Mortgage, or otherwise lawfully Bar, or Exclude her self, from such her Dower or Right.

An A C T for the more Easy obtaining Partitions of Lands in Caparce nary Joynt-tenancy, and Tenancy in Common, and Bounding, and Mearing of Lands.

C H A P. XXXVII.

Whereas the Proceedings upon Writts of Partition, between Coparceners, by the Common-Law, or Custom, Joynt-Tenants, or Tenants in Common, are found by Experience, to be Tedious Chargable, and oftentimes Ineffectual

Effectual, by Reason of the difficulty of Discovering the persons and Estates of the Tenants of the several Manours, Messuages, Lands, Tenements, and Hereditaments, to be Divided, and the Defective and Dilatory Executing and Returning of the Process, of Summons, Attachment and Distress, and other Difficulties and Impediments in Making and Establishing of Partitions; by Reason of which, divers persons having Un-divided Parts, or Part-parts, are greatly Prejudiced and Oppressed, and the Premise are frequently Wasted, or lye Uncultivated, or not Improved, and the Profits of the same thereby Totally are in a greater measure Lost. For Remedy thereof:

Be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same, That from the Sixth Day of November, One thousand Six hundred Ninety seven, and after Process of Summons, or Attachment upon any Writ of Partition Returned, and Affidavit made thereupon by any Sufficient and Credible person, that due Notice in Writing is, or hath been given of the said Writ of Partition, to the Tenant or Tenants, to the said Writ or Action, and a Copy thereof left with the Occupier, or Tenant or Tenants, in Possession of the said Lands; or if they, or any of them cannot be found, then to the Wife, Son or Daughter, being of the Age of One and Twenty Years, or upwards; of such Tenant or Tenants, to the said Writ or Action, or Tenant in actual Possession, as aforesaid, by Virtue of any Estate of Freehold for Years, or
to

at Will, or any uncertain Interest, of, or in the said Manours, Lands, Tenements and Hereditaments, whereof the said Partition is so Demanded, unless the said Tenant in Actual Possession, be Demandant in the said Action, at the least Forty Days before the Day of the Return of the said Summons or Attachment; if in such Case the Tenant or Tenants to such Writ, or Tenant in Possession to the Manours, Lands, Tenements and Hereditaments, as aforesaid, or any of them, shall not within the Term after Return of such Writ of Summons or Attachment, or the Term following the same, cause an Appearance to be Entred in such Court, where such Writ of Summons or Attachment shall be Returnable, then, and in Default of such Appearance, the Demandant having Filed his Declaration, the Court may, and shall proceed to Examine the Title of the said Demandant, set forth in his Declaration, and the Content, or Quantity of his Part, or Pur-part of the said Lands and Premises, and according as they shall find his right Part and Pur-part to be, they shall for so much, cause Judgment by Default, to be Entred for the said Demandant, and thereupon Order and Award a Writ, to make Partition, whereby such Proportion, Part and Pur-part, may be set out to him in Severalty; of which said Writ of Execution, Notice shall be given to the Occupier, Tenant or Tenants, of the said Manours, Lands, Tenements and Hereditaments, at least Six Days before the Execution thereof; and the same being after such Notice duly Executed and Returned, and Final Judgment thereupon Entred, the same shall be good, Binding, and Conclusive to all persons whatsoever

ever, and to the severall Rights, Titles, and Interests, which they, or any of them have, or shall at any time Claim, or pretend to have in any of the said Manours, Lands, Tenements, and Hereditaments, mentioned in the said Judgment and Writ of Partition so Awarded, as aforesaid, although all persons concerned, are not named in the Proceedings thereupon, nor the Title of the Tenants to the said Writ truly set forth.

Provided always, That if such Tenant or Tenants, or person concerned, or any of them, against Whom, or their Right or Title, such Judgment by Default is given, shall within the space of One Year, after the first Judgment Entered, or in Case of Infancy, Coverture, Non sane Memorie, or Absence out of the Kingdom, then within One Year after his, her, or their Return, or the Determination of such Inability, apply themselves by Motion to the Court, where such Judgments are Entered, and shew good, and probable matter in Bar of such Partition, or that the Demandant hath not Title to so much as he hath so Recovered; then, and in such Case, the Court may Suspend, or Set aside such Judgment, and admit the Tenant or Tenants to appear and Plead, and the Cause shall Proceed according to Due Course of Law, as if no such Judgment had been given: And if the Court upon hearing thereof, shall Adjudge for the first Demandant, then the said first Judgment shall stand Confirmed, and be good against all persons whatsoever, Except such other persons as shall be Absent, or Disabled, as aforesaid, and the person or persons, so Appealing, shall be Awarded thereupon, to pay Costs,

Costs, or if within such time or times, aforesaid, the Tenants or persons Concerned, Admitting the Demandant's Title, Parts or Parts, shall yet shew to the Court any Inequality in the Partition, the Court may Award a new Partition to be made, in presence of all parties Concerned, and if they will appear, notwithstanding the Return, and Filing upon Record of the former; which said Second Partition Returned and Filed, shall be Good, Valid, and Firm forever, against all persons whatsoever, except, as before Excepted.

And be it Enacted by the Authority aforesaid, That no Plea in Abatement shall be admitted, or received in any Sute for Partition, nor shall the same be Abated by reason of the Death of any Tenant or Tenants thereunto.

And be it further Enacted by the Authority aforesaid, That when the High-Sheriff, by reason of Distance, Infirmitie, or any other Hindrance, cannot conveniently be present at the Execution of any Judgment in Partition, in such Case, the Under-Sheriff, in presence of Two Justices of the Peace of the County, where the Lands, Tenements, or Hereditaments to be Divided, do lie, shall, and may proceed to Execution of any Writ of Partition, by Inquisition, in due Form of Law, as if the High-Sheriff were then personally present; and the High-Sheriff thereupon, shall, and is hereby Enabled and Required to make the same Return as if he were personally present at such Execution. And in Case such Partition be Made, Returned, and Filed, he or they that were Tenant or Tenants of any of the said Messuages, Lands, Tenements,

Tenements, or Hereditaments, or any Part or Pur-part thereof, before they were so Divided, shall continue, and be Tenant or Tenants, for such Parts Set out severally to the respective Land-lords, or Owners thereof, by, and under the same Conditions, Rents, Covenants, and Reservations, where they are, or shall be so Divided, and the Land-lords and Owners of the several Parts and Pur-parts so Divided, and Allotted, as aforesaid, shall Warrant and make good unto their respective Tenants, the said several Parts severally after such Partition, as they are or were Bound to do by any Copy, Lease, or Grant of their respective Parts before any Partition made; and in Case any Demandant be Tenant, in Actual Possession to the Tenant, to the Writ or Action, for his Part and Proportion, or any Part thereof in the Messuages, Lands, Tenements, and Hereditaments to be Divided, by Virtue of a Writ of Partition, as aforesaid, for any Term of Life, Lives, or Years, or uncertain Interest, the said Tenants shall stand and be Possessed of the said Pur-parts, and Proportions, for the like Term and under the same Conditions and Covenants, when it is set out in severalty, in pursuance of this, or any other Act, Statute, or Law, to that purpose.

And be it further Enacted by the Authority aforesaid, That the respective Sheriffs, their Under-Sheriffs, and Deputies; and in Case of Sickness, or Disability in the High-Sheriff, all Justices of the Peace within their respective Divisions, shall after convenient Notice, give Due Attendance to the Executing such Writ of Partition, unless reasonable Cause be shewn to the Court upon Oath, and then Allowed of, or otherwise

Wise be liable every of them to pay unto the Demandant such Costs and Damages, as shall be Awarded by the Court, not exceeding five pounds, for which the Demandant, or Plaintiff, may bring his Action in any of His Majesty's Courts of Record at Dublin, wherein no Escoyn, Protection, Priviledge, or Wager of Law shall be Allowed, or more then One Imparlance. And in Case the Demandant do not Agree to pay unto the Sheriff or Under-Sheriff, Justices and Jurors, such Fees as they shall respectively Demand for their pains and Attendance in the Execution of the same, and Returning thereof; then the Court shall Award what each person shall Receive, having respect to the Distance of the place, from their Respective Habitations, and the time they must necessarily spend about the same, for which they may severally bring their Actions as aforesaid.

Provided, that this Act shall continue in force for Seaven Years, and from thence to the end of the next Session of the next Parliament, and no longer.

And whereas many Inconveniencies, and Law-Sutes, have heretofore Arisen, and may hereafter Arise, by Reason the Bounds of the several Proprieties of Lands within this Kingdom, are not sufficiently Distinguished, by certain and known Years.

For prevention Whereof, and for the better carrying off the Water, and Draining the Bogs, and Wet Lands, and Improving the same.

Be it Enacted by the Authority aforesaid, That where the Years of Lands, between Propriety and Propriety, have, or shall hereafter

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be set out, or Ascertained by a Writ of Partition, Perambulation, or otherwise, the same Hall at Equal Charge of the Proprietors thereof, or their Tenants, be Inclosed with good Ditches, where Earth sufficient may be had to make the same, and therein one or two Rows of Quick-sets Hall be Planted; and where Earth Hall be wanting, such other Fences Hall be made, as the nature of the Soil Hall permit. And where Lands are Leased for a long term, it may seem Unequal to lay the Charge of such Ditches and Fences on the Landlords.

Be it therefore Enacted, that where Lands are held in Fee-farm, or for Lives Renewable for ever, or for a Term of Sixty Years, to run from the Sixth Day of November, One thousand Six hundred Ninety seven, there the Charge of making the Weirs, or Fences, as aforesaid, Hall be intirely born by the Tenant; and where Lands are Leased for Lives, wherein Three Lives Hall be Current, or for Years, where Twenty One Years Hall be Unexpired, at, or upon the said Sixth day of November, One thousand Six hundred Ninety seven, there the said Weirs Hall be Inclosed at the Equal Charge of Landlord and Tenant; and where Lands are Leased for any lesser time, or Term, the Bounds Hall be Inclosed at the Sole Charge of the Landlord.

Provided, That nothing in this Act Contained, Hall be Taken, or Construed to be Taken, to make Void any Covenants heretofore made between Landlord and Tenant, Relating to the Inclosing of Weirs.

And

And be it further Enacted by the Authority aforesaid, That whatsoever person or persons, Chargeable by this Act, with the Fencing and Closing of their Bounds, as aforesaid, who shall not have Actually done the same within Six Months after such Partition made, shall Forfeit for his, or their neglect, One Year's Value of the said Land, One Moiety thereof, to the use of the Poor of the Parish, where such Lands shall lie, and the other Moiety to him, or them, that will Sue for the same: And if the person or persons, Chargeable with the Inclosing his Heirs, as aforesaid, shall further neglect to do the same within One Year, he, or they, so Offending against this Act, shall Forfeit Two Years Value of the said Lands, to be Paid and Recovered in manner aforesaid.

And it is hereby further Enacted by the Authority aforesaid, That all Hearing, Fences Ditches and Drains, made, or hereafter to be made, be, and shall from time to time, and at all times hereafter, at the Equal Charge of the Tenants, and Occupiers of the said Lands, be kept open Scoured and Cleaned, that the Water may not stand, but pass away, and that whatsoever person or persons shall refuse or neglect to do the same, shall Forfeit for such refusal and neglect, One Year's Value of the said Land, to be Recovered in such manner, and to such Uses, as is herein before Expressed.

F I N I S.

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A N
A C T
For Avoiding of
Vexatious Delays,
CAUSED
By Removing Actions and Sutes
OUT OF
Inferiour Courts.

A N
A C T
For Redress of certain
A B U S E S,
IN MAKING
Pewter and Brass.



DUBLIN:

Printed by *Andrew Crook*, Printer to the King's Most Excellent Majesty, on *Cork-Hill*, near *Copper-Alley*, 1697.

ACT
For the Relief of
Vexatious Debtors
BY
JAMES O'NEILL, Esq.
Attorney at Law
JAMES O'NEILL, Esq.
Attorney at Law

IN SENATE
JANUARY 18, 1897



PRINTED BY
JAMES O'NEILL, Esq.
Attorney at Law
JAMES O'NEILL, Esq.
Attorney at Law

**An ACT for avoiding of Vex-
tious Delays, caused by Removing Actions
and Sutes out of Inferior Courts.**

C H A P. XXXVIII.

WH E R E A S there now are, and long
time have been divers Courts of Re-
cord, and divers Cities, Liberties,
Towns Corporate, and elsewhere, some of them
being far remote from Dublin, which were prin-
cipally obtained for the Ease and Quiet of such
as should have occasion to Sue there for Debts
and Wrongs, so that they might with small Ex-
pences, Receive Justice according to the Merits
of their Causes in those Inferior Courts, with-
out being Compelled to Travel to Dublin, but of
late divers of His Majesty's Subjects, having
for Just and True Debts, and other Good and
Lawful Causes commenced Sutes in such In-
ferior Courts and Prosecuted their Actions and
Sutes many times ready for Tryal, and the
same Causes being for the most part of small
value, have been Removed into some of His Ma-
jesty's Courts at Dublin, and being remanded by
Procedendo, into the same Inferior Courts,
where the Action or Sute was first commenced,
the said having been again often times Remo-
ved into the same, or other of His Majesty's
Courts at Dublin, to the Intollerable delay of
Justice, and great Expences of Money, and
Loss, and Trouble to those which Justly and
honestly,

Honestly, by such Actions and Sutes, have sought only to Recover, or get Satisfaction for Debts, Duties or Wrongs Owning, Due or Done unto them. For Remedy whereof,

Be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That no Writ, or Writs of Habeas Corpus, Certiorari, or any other Writ or Writs, Process or Processes whatsoever, other then Writs of Error, or Attaint, to be Sued forth after the Twentieth Day of November next, which will be in this present Year of our Lord, One thousand Six hundred Ninety seven, by any person or persons whatsoever, out of, or from any of His Majesty's Courts at Dublin, or out of any other Court or Courts, having, or pretending to have power to Award such Writs or Processes to stay or remove any Action, Bill, Plaint, Sute or Cause, Brought, Commenced, or Depending, or hereafter to be Brought, Commenced, or Depending in any Court or Courts of Record, within any City, Liberty, Town Corporate, or elsewhere, which have, or shall have Jurisdiction, Power or Authority, to hold Plea in that Action, Bill, Plaint, Sute or cause, the same cause of Action, Bill, Plaint, or Sute arising, or growing within the said City, Liberty, Town Corporate or Jurisdiction, shall after the said Twentieth day of November next, be Received or Allowed, by the Steward, Judge or Judges, or Officer or Officers of the Court or Courts, wherein or to whom any such Writ or Writs shall be Directed and Delibered, but that he and they shall
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and may proceed in the said Cause or Causes, as though no such Writ or Writs were Sued forth, or Delivered to him or them. Except that the said Writ or Writs be Delivered to the Steward or Stewards, Judge or Judges, Officer or Officers of the said Court, before Issue or Demurrer, joyned in the said Cause or Causes so Depending, or to be Depending in such Court of Record, in any City, Liberty, Town Corporate, or elsewhere, having Power to hold such Plea, so as the said Issue and Demurrer be not joyned in Six Weeks next after the Arrest or Appearance of the Defendant or Defendants, to such Action or Sute commenced.

And be it further Enacted by the Authority aforesaid, That if any such Action, Bill, Plaint, Sute, or Cause, which is, or shall hereafter, be brought, Commenced, or Depending in any such Court of Record in any City, Liberty, Town Corporate, or elsewhere, shall after the said Twentieth Day of November next, be removed or stay'd by any such Writ or Writs, Process or Processes, to be Sued forth out of any of His Majesty's Courts at Dublin, or any other Court as aforesaid: That if afterwards the same Action, Bill, Plaint, Sute, or Cause, shall be remanded or sent back again by any Writ or Writs of Procedendo, or other Writ whatsoever; that then the said Action, Bill, Plaint, Sute, or Cause, shall never afterwards be removed or stay'd before Judgment, by any Writ or Writs whatsoever, to be Sued forth out of any of His Majesty's said Courts, at Dublin, or any other Court, as aforesaid, any Law, Statute, Custom, Usage, or Restraint to the contrary thereof, in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That if any Action, Bill, Plaint, Sute, or Cause, not concerning Freehold, or Inheritance, or Title of Land, Lease, or Rent, which shall be Brought, Commenced, or Depending in any such Court of Record, or any City, Liberty, Town Corporate, or elsewhere, if it shall appear, or be laid in the said Declaration, that the Debt, Damages, Things Demanded, doth or shall not Amount to, or exceed the Summ of Five Pounds, that then such Action, Bill, Plaint, Sute, or Cause, shall not be stay'd, nor be removed into any of His Majesty's Courts at Dublin, or other Court as aforesaid, by any Writ or Writs whatsoever, to be Sued, or Prosecuted forth, or out of His Majesty's said Courts at Dublin, or other Courts, as aforesaid, other then Writs of Error, or Attaint, any Law, Statute, Usage, Custom, or Restraint to the contrary, in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That if any Writ or Writs whatsoever, shall be after the said Twentieth Day of November next, Granted or Sued forth, out of any His Majesty's Courts at Dublin, or other Court, contrary to the meaning of this present Act; that then it shall, and may be Lawful to, and for the Judge or Judges, and Officer or Officers, to whom such Writ or Writs shall be Delivered, to Disallow, and Refuse the same, and to Proceed as if no such Writ or Writs, had been Granted, or Sued out, or forth, as aforesaid, any Law, Statute, Usage, Custom, or Restraint, to the contrary in any wise notwithstanding.

And

And whereas some persons have doubted, whether an Act made in the Tenth Year of the Reign of King Charles the First, Intituled, An Act for Expedition of Justice in Cases of Demurrers, &c. And one other Act made in the said Tenth Year of the said King Charles the First, Intituled, An Act for the Reformation of Jeofailes, &c. Extend to Inferior Courts of Record.

And whereas an Act made in the Thirty Third Year of the Reign of King Henry the Eighth, Intituled, An Act touching Mis-impleading and Jeofailes. And an other Act made in the said Tenth Year of the said King Charles the First, Intituled, An Act for avoiding Unnecessary Delays of Execution: And an other Act made in the Seaventeenth and Eighteenth Years of King Charles the Second, Intituled, An Act to prevent Arrests of Judgment, and Superseading Executions, are found by Experience to be Good and Beneficial Laws, but do not Extend to the said Inferior Courts; To the end thereof, that all his Majesty's Subjects may have the full Benefit and Advantage of so Good Laws.

Be it Enacted by the Authority aforesaid, That all the severall above-mentioned Acts, shall from the said Twentieth Day of November next, be, and be Construed to be in Force, in all Inferior Courts of Record in this Kingdom, and shall be as Effectual, and as duly observed in all the said Inferior Courts, as if the said Inferior Courts had been particularly named and expressed in the severall above-mentioned Acts.

And

And whereas in County Courts, Mannor Courts, and other Inferior Courts, where shall Actions of Debts and Damages, under Forty Shillings are Tried, sufficient Encouragement cannot be given to Attorneys, or other persons Skilled in the Law of this Realm, to practice, so that the Pleadings and Proceedings in the said Courts, are not so Formal as by Law they ought to be, for the Ease of the Subject.

Be it Enacted by the Authority aforesaid, That in all the said Inferior Courts, which have Power to Try Actions under Forty Shillings, and no more, that the Proceedings and Pleadings may be in English, and shall not for that, or any other Defect in Form, be Quashed or Vacuated if the same be Removed by Writ of False Judgment, or otherwise, into any of His Majesty's Courts of Record, any former Law, Custom, Statute, or Usage to the contrary notwithstanding.

An ACT for Redress of certain Abuses in Making Pewter and Brass.

CHAP. XXXIX.

WHEREAS there is much Pewter and Brass, Made, Wrought, and Blended within this Kingdom, which is not of such Fine Metall, and such perfect Goodness as the same ought to be; and is Made, Wrought, and Blended oftentimes by ve-
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ry Unskillful persons, who understand not the True Making and Working of such Metals, or by other persons, who use the said Art Deceitfully, all which Tends much to the prejudice of His Majesty's Subjects, who have occasion to Buy, and make Use of Pewter and Brasse: For Remedy whereof.

Be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same, That from and after the First day of January next, which will be in the present Year of Our Lord, One thousand Six hundred and Ninety seven, no person or persons, using the Craft or Trade of Pewters and Brasiers, or who Buy, Sell, Trade, or Deal in the same, within this Realm, shall Sell or Change, any Pewter or Brasse, New or Old, at any place or places, save only in open Faires and Markets, or in their own Publick Shops and Dwelling Houses, upon pain that every person and persons, Acting contrary hereunto, shall for every such Offence, Forfeit and Lose the Summ of Forty Shillings, the one half to go, and be to the use of the Poor of the Parish, where such Offence shall be Committed, the other half to the person or persons, that shall Seize, Find, or Prosecute for the same.

And be it further Enacted by the Authority aforesaid, That no person or persons, from and after the said First day of January next, shall at any place or places, within this Realm, Cast, Make or Work any new Pewter, or Brasse Vessel, but such as shall be of as good Fine Me-
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tal, as is the Pewter and Brasse, Cast and Wrought after the perfect Goodness required for the same, within the City of London, upon pain of Forfeiture of all and every such Pewter and Brasse Vessel and Vessels so Cast, Made, and Wrought contrary thereunto, the one half of such Forfeiture to be to the use of the Poor of the Parish, where such Offence shall be Committed, the other half to the use of the Finder, Discoverer and Prosecutor for the same. Which said Offences shall be Examined, Heard and Determined in all Cities, and Corporate Towns, by, and before the Mayor, Bailiff, Sovereign, Portreeve, or other head Officer of such City, or Town Corporate, and in all other places, by and before two Justices of the Peace of the respective Counties, where such Goods shall be so Seized, as aforesaid, who are hereby Authorized and Required, to Examine the said Matters, on Oath of One or More Witnesses, which Oath they are hereby Authorized to Administer, and to Hear, Determine, and give Judgment thereupon, for the Forfeiture of such Goods, to the Uses aforesaid, or otherwise for Discharging and Restoring the same, as they shall see cause; which said Judgment so given, such Mayor, Bailiff, Justices of the Peace, or other Officer, are hereby Required to Return, and Certifie to the Justices of the Peace, at the next Quarter-Sessions, to be held for such City, Town Corporate, or County respectively, to the Intent that the same may be there Entred of Record.

Provided always, That no Pewter and Brasse, shall be so Seized or Forfeited, save only such as shall at the time of such Seizure, be in the pos-

possession of some Pewterer or Brasier, or other person using the said Trade or Mistry, or Selling such Pewter or Brasse, or of some person or persons in Trust for him or them, and not such as shall be in the possession of any other person not using such Trade or Mistry, as the proper Goods of such other person.

And be it further Enacted by the Authority aforesaid, That no manner of person or persons, of what Degree or Condition soever, he or they be, from and after the said First day of January next, shall make any hollow Wares, That is to say, Salts and Pots, or the like of Pewter, called Lay-Metal, which shall be of courser or worse Metal then according to the Assize of Lay-Metal wrought within the City of London; and that the Makers of such Wares, shall make the same Wares, with several and particular Marks of their own, to the intent, that the Makers of such Wares shall avow the same, and such Wares may appear to be made by them, and that all and every such Wares not so sufficiently Made, wrought, or Marked in Form aforesaid, found in the possession of the same Maker or Seller, shall be Seized as Forfeited; and if the same Ware be Sold before such Seizure, then the said Maker shall Forfeit the Value of the same Ware, so Unlawfully wrought and Sold, the One half of such Forfeiture, to be the Use of the Poor of the Parish where such Offence shall be Committed, and the other half to the Use of the Finder or Finders, Searcher, and Prosecutor for the same; such Offences to be Examined, heard, and Determined as aforesaid.

And be it further Enacted by the Authority aforesaid, That if any person or persons, after the

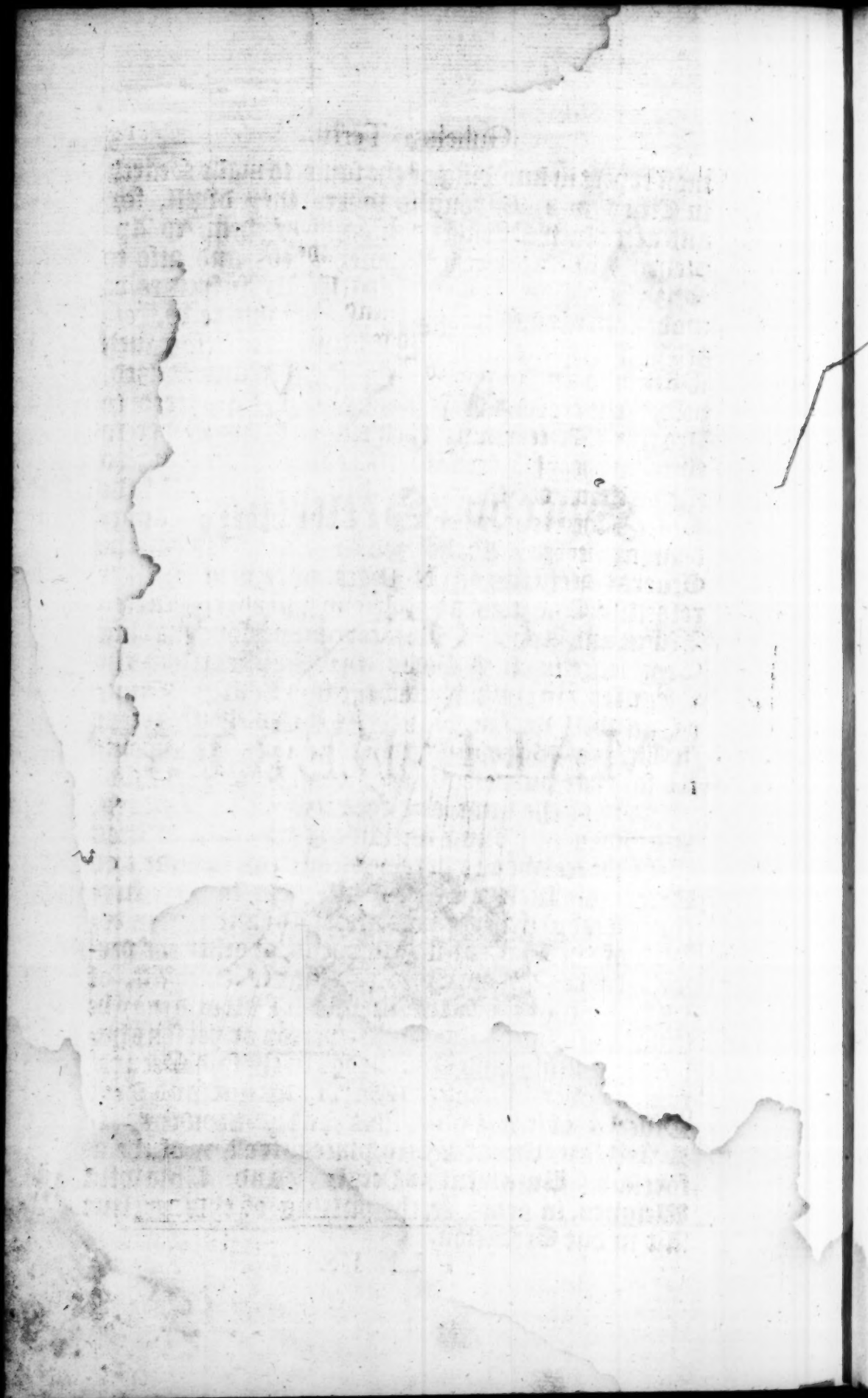
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the said First Day of January next, Using, Buying, and Selling, of Pewter and Brasse, shall have, or make use of any Deceitful, or False Weights, or Measures, such person or persons, shall for every such Offence, Forfeit the Summ of Five Pounds, the one half to the Poor of the Parish where such Offence shall be Committed, the other half to the person or persons, Finding, Discovering, & Prosecuting for the same, such Prosecution to be before such respective persons, and in like manner, as for the other Offences, against this Act before mentioned; And such persons are hereby respectively Authorized and Required, to Act therein, as in cases of such other Offences; and if the said Offender or Offenders, shall not be sufficient to pay the said Summ or Summs, so by him or them Forfeited, that then it shall, and may be Lawful, to, and for such person or persons respectively, before whom such Offences shall be Tried, to put such Offender in the Stocks, for the space of Two Hours, and after to continue him in Custody, until the next Market Day, for the place where such Offence shall be committed, and then in the open Market place, during the chief time of such Market, to put, and continue him with his head in the Pillory, for the space of one hour.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful, to, and for the Master and Wardens, of the said Crafts of Pewterers and Brasiers, within every City and Burrough, within this Realm, where such Master and Wardens are; and where such Master and Wardens are not, then to, and for the Head Officer, and Magistrates of the said City and Burrough, to appoint certain persons,
most

most expert in knowing of the same, to make Search in Cities and Burroughs where they dwell, for, and after such Offenders and him or them, to Apprehend, or Cause to be Apprehended; and also to Seize such Goods as they shall justly suspect to be made contrary to this Act, and Lyable to be Seized by Vertue thereof, and forthwith to bring such Offenders and Goods so Apprehended and Seized, before the respective persons hereby Required to hear, and Determine such Offences, in Order to their further Procedure thereupon, according to the directions of this Act: And the Justices of the Peace within every Shire, or County of this Kingdom, are hereby Authorized and Required, at the General-Sessions of the Peace, to be held for their respective Counties, at Michaelmas in every Year, to Assign and Appoint, Two certain persons, having Experience in such Goods, to make Search in the Premises, in every part of the said Shire or County, as well within Franchises, as without, except in Cities or Burroughs, where persons are appointed for that purpose, by the Head Officers, or Governour of the same, and to Seize such Offenders, and Goods, and bring the same before such Justices of the Peace, who is hereby Required, to hear and Determine such Offences, in Order to their further procedure thereon, as aforesaid; and that in default of the Walter and Wardens, or other the persons to be Appointed, according to this Act, of Searching in manner aforesaid, it shall and may be lawful, to, and for any other person or persons having Cunning, and Knowledge in the said Occupation, by oversight of the Mayor, Bailiff, and Head Officers of the said Cities and Burroughs, to Search all the aforesaid places, for any of the aforesaid Unlawful Metals, and Unlawful Weights, in order to the putting of this present Act in due Execution.

F I N I S,



A N
A C T
For the more
E A S Y,
A N D
Speedy Securing,
A N D
R E C O V E R Y
O F
S M A L L D E B T S.



D U B L I N :

Printed by *Andrew Crook*, Printer to the King's
Most Excellent Majesty, on *Cork-Hill*, near
Copper-Alley. M DC XC VII.

An ACT for the more Easie, and Speedy Securing, and Recovery of Small Debts.

CHAP. LX.

WHEREAS nothing would conduce more to the Advancement of Trade, Commerce, and Industry in this Kingdom, then that an Easie, and Summary Way, for the Recovery, and Securing of Small Debts, might be found, whereby an Universal Credit, might be Established among the Trading people of this Realm, without the necessity of tedious, and Costly Sutes of Law. May it therefore please your Majesty, that it may be Enacted.

And be it Enacted by the King's Most Excellent Majesty; by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same; That in every County, and every County of a City, and County of a Town, in this Kingdom of Ireland; some person before the first Day of February, in this present year of Our Lord, One thousand Six hundred Ninety seven, be appointed by His Majesty, or by the Lord Lieutenant, Lord Deputy, Lord Justice, or Lords Justices, or other Chief Governour or Governours of this Kingdom, for the time being, to be Register

gister in each County, or County of a City, or County of a Town; which said person so Appointed, shall be a Resident, or Inhabitant, for the most part, in such County respectively, wherein he shall be, as herein-after Employed, and shall enter into Recognizance of Five hundred pounds Sterling, before some one of the Judges of either Bench, or Barons of His Majesty's Court of Exchequer, or before the Justices of the Peace, at the next Quarter Sessions, to be holden for the said County, for the due Execution of his Office; which said Recognizance, shall be filed of Record, in His Majesty's Court of Exchequer in this Kingdom, some time before the last Day of the Ensuing Term, after such Recognizance shall be acknowledged: And that every such Register, of any such County, as aforesaid, shall, and may, by the Authority of this Act, have Power to Appoint One, or more Deputy, or Deputies, to Officiate under him in such County respectively.

And be it further Enacted by the Authority aforesaid, That every such Register, and Deputy or Deputies, before he, or they, shall take upon him, or them respectively, the Execution of the said Office, shall take the following Oath, before some One, or more of the Justices of the Peace of the said County, or County of a City, or County of a Town, or before the Chief Magistrate of such Town, or Corporation, or his Deputy, where such Register shall keep his Office, (viz.)

I A. B. do Swear, that I will according to the best of my Skill and Cunning, duly and faithfully execute the Office of Register (or Deputy Register) in this County, according to an Act of Parliament, Intituled, An Act for the more Easy and Speedy Securing, and Recovery of Small Debts, and that I will not Directly, nor Indirectly, demand, take, or receive any manner of Fee, Reward, or Gratuity, by reason, or Colour of my Office, other then such Fees as are allowed by the said Act.

So help me Gods

And shall then likewise take the Oaths, and Subscribe the Declaration mentioned and contained in an Act of Parliament, made in England, in the Third Year of the Reign of His present Majesty, and the late Queen Mary, Intituled, An Act for the Abrogating the Oath of Supremacy in Ireland, and Appointing other Oaths, which said Oath of Office, and other Oaths, and Declaration, the said Justice or Justices of the Peace, or other Chief Magistrate of such Town or Corporation, or his Deputy, are hereby Authorized, Impowered and Required to Administer. And further, that every such Register, Deputy, or Deputies aforesaid, upon the Pain, Penalety, and Forfeiture of his, or their respective Offices or Offices, shall take the aforesaid Oath of Office, and the aforesaid Oaths, and Subscribe the Declaration, at the next Quarter-Sessions, or the next Assizes to be holden for the said County, or County of a City, or County of a Town, which shall first happen in Open Court, between the hours of Nine and Twelve, in the Morning; which

said Oaths respectively, and Declaration, the said Judges of Assize, or Justices of the Peace at their respective Sessions, are hereby Authorized, Impowered and Required to Administer.

And be it further Enacted by the Authority aforesaid, That from and after the said first day of February next, every person and persons having any Bond or Bill, under Hand and Seal, for any Summ or Summs of Money, not exceeding Ten pounds, principal Money, which said Bond, or Bill, being acknowledged before any person who is a Justice of the Peace in this Kingdom, or before the Chief Magistrate of any Town Corporate, and such Justice of the Peace, or Chief Magistrate, or his Deputy, Certifying such Acknowledgment, which acknowledgment, every Justice of the Peace of this Kingdom, and every Chief Magistrate of any Town Corporate, or his Deputy, are by the Authority of this Act, Impowered and Required to take, and Certificate under their respective Hands and Seals, to make, and deliver, to the party and parties interested in such Bond, or Bonds, Bill, or Bills, which Certificate and Bond, or Bill, being brought to the Register, or his Deputy, of such County, County of a City, or County of a Town, wherein such person is a Justice of the Peace, or Chief Magistrate of a Town Corporate, or his Deputy, such Register, or his Deputy, or Deputies, or one of them, shall in a Book to be kept for that purpose, make an Entry of the said Bond, or Bill, and Acknowledgment, at large, as also the Receipts and Trans-

Transfers, thereon endorsed, if any be, and from, and after such Entry, the person or persons who perfected the same, his and their Goods and Chattels personal, shall be thereby Bound and Liable to the said Debt and Interest, from the day of Payment, in like manner, as if the same had been a Judgment at Law.

And to the end there may be no Mistakes or Controversies, for, or concerning the said Bonds, or Bills, in relation to the wording thereof.

Be it further Enacted by the Authority aforesaid, That all such Bonds or Bills as shall be Registered in pursuance of this Act, shall be Printed and Stamped with His Majesty's Arms, and be in the Form following; That is to say.

K NOW all men by these presents, that of in the County of do Acknowledge my self to stand justly Indebted unto of in the County of in the Full and Just Sum of pounds Sterling, to be paid to the said His Executors, Administrators, or Assigns, at, or before the day of to the which payment, I Bind my self, my Heirs, Executors and Administrators; and in default of Payment thereof, I do consent, that Execution shall Issue against my Body, Goods and Chattels personal: Witness my Hand and Seal, this day of

And in Case that there be Two or more persons Bound in the said Bond, the said Printed Bond shall be Printed and made so, as to comprehend them, and to Bind them Jointly, and severally. And to the end, Forged and Counterfeit Bonds, or Bills, may be prevented, and the Subjects of this Land, sufficiently provided with the said Bonds, or Bills so Printed and Stamped, at Easy and Moderate Rates.

Be it Enacted by the Authority aforesaid, That every Register of any County, or County of a City, or County of a Town, shall provide in every Market-Town, within their respective Limits and Precincts, a sufficient quantity of such Blank Bonds, or Bills for Sale, Stamped with the King's Arms, and the name of the County, whereof such person shall be Register. And that no person or persons whatsoever, shall Expole to Sale in any such Market-Town, as aforesaid, any Stamped Printed Bonds, or Bills, other then such as shall be Stamped by the said Register, or his Deputy, or Deputies, upon the penalty of Forfeiting Ten pounds for each Offence, to such Register, to be Recovered by such Register, whereby Insured, by Action of Debt, Bill, Plaint, or Information, wherein no Escoin shall be Alledged, or more then one Imparllance.

Provided always, And be it further Enacted, and Declared by the Authority aforesaid; That no person or persons, shall be obliged to pay more then one penny for each of such Bonds or Bills.

And be it further Enacted by the Authority aforesaid; That the Words used by the party or parties, Transferring of the said Bonds or

or Bills, shall be these, or to the like Effect following; That is to say,

I A. B. do Transfer this Bill to C. D. as Witness my Hand, this day of
Anno Domini

And in Case there be Two or more Obligees, then the said Transferrer shall be in their Names, with proper Words to the Effect and Purport aforesaid, Mutatis Mutandis.

And be it further Enacted by the Authority aforesaid, That if any person or persons, stand Indebted by such Bond or Bill, Acknowledged and Entred, as aforesaid, and shall refuse to pay such Debt or Debts, at the time the same shall become Due and Payable; Or at any time afterwards, such Creditor or Creditors, making Oath, that the Money Due thereon, hath been Demanded, and the Bond or Bill, Tendered to the party or parties Indebted, his, or their Executors, or Administrators, at his, or their, place or places of Abode, or Residence, the said Oath to be made before the Justices of the Peace, at the Quarter Sessions, to be holden for the County, County of a City, or County of a Town, where the said Bond, or Bill, is Entred in open Court, between the Hours of Nine and Twelve in the Morning; Which Oath, the said Justices of the Peace, are hereby Impowered, and Required to Administer; and which Oath, the said Register, or his Deputy, are Required to Receive and Enter; then the said Register, or his Deputy, at the same Quarter-Sessions of the Peace, or at any other Quarter-Sessions to

be holden for the said County, at any time within One Year after the said Money shall become due, and payable, upon the Delivery to him, the said Register, or his Deputy of the said Bond, or Bill, shall Issue a Warrant of Execution, under his Hand, and Seal of Office, Directed to all and every the High-Sheriffs, Coroners, Bailiffs, Seneschals, Stewards, and High-Constables of this Kingdom, against the person or persons, his or their Executors, or Administrators Owning the said Money, or his and their Goods and Chattles personal, for the Recovery, and Levying of the said Money, together with the Interest which shall then be Due; as also the Costs and Fees, for Entering of the said Bond or Bill, and for the Warrant of Execution, and other Fees, according to the Directions and Limitations, herein-after mentioned and expessed.

And to the end, all Disputes and Controversies, for, and concerning the Payment, and Discharge of such Debt or Debts, for, or on Account of such Bonds or Bills, may be prevented.

Be it further Enacted by the Authority aforesaid, That no Payment or Payments, shall be Esteemed, Valid, for, or on Account of such Bonds or Bills, unless the same be Entered on the back of the said Bond or Bill, by the party or parties, Interested therein, at the time of Entering of such Payment or Payments.

And be it further Enacted by the Authority aforesaid, That the Sheriffs, Coroners, Bailiffs, Seneschals, Stewards, and High-Constables, who shall have the Execution of the said Warrants, in their respective Counties, County
of

of a City, or County of a Town, Precincts, and Liberties, shall have full Power and Authority, upon the Delivery of such Warrant, or Warrants, to them respectively; and are accordingly hereby required to Arrest, and take the Body or Bodies, of the Person or Persons, against whom the said Warrants of Execution shall Issue, if so be the Party or Parties, Plaintiff or Plaintiffs, his, or their Servant, or Agent, shall desire the same: And in Case any Person or Persons, at such desire, shall be so Arrested or Taken, by any of the aforesaid Officers, appointed by this Act, who have not the Custody, or Keeping of Prisoners upon Execution, out of his Majesty's four Courts, that then the Person or Persons so taken, shall be Delivered to the Plaintiff, or his Servant, or Agent, to be carryed, and conveyed to the Sheriff, or other Officer, having the Custody of the Goal of the said County, where the said Person or Persons shall be so Taken, at the Charge and Peril of the said Plaintiff; who is hereby required to Receive and Keep, him or them, in safe Custody; which said Sheriff, or other Officer, having the Custody of the said Goal, shall be chargable with the said Debtor or Debtors, in like manner, as if such Debtor or Debtors, had been taken upon a Capias ad Satisfaciendum, upon a Judgment at Common Law.

And be it further Enacted by the Authority aforesaid, That the said several Sheriffs, Coroners, Bailiffs, Seneschals, Stewards, and High-Constables in their respective Limits and Precincts, shall by the Authority of this Act, have full Power and Authority

authority upon such Warrant of Execution, a-
 gainst any person or persons Goods, at the de-
 sire of the party, or parties, Plaintiff, or
 Plaintiffs, his, or their Agent or Servant, to
 Seize and take the said person, or persons, Goods,
 and Chattles personal, in Execution, and the same
 to Appraise by the Appraisers of the Pa-
 rish, or Barony, where the same shall be: so
 taken or Seized, and shall give the Debtor, or Deb-
 tors if so be he, or they may be found, the First
 Refusal of the said Goods and Chattles per-
 sonal, at the Appraised Rate; which if the
 said Debtor, or Debtors, shall refuse, or ne-
 glect to pay within Ten days after such
 Appraisement, then the said Goods and Chattles
 personal, shall be sold and delivered to the Plaintiff,
 his Servant, or Agent, he, or they paying according
 to the Appraised Values, to the party or parties
 Interested, whatsoever Summ or Summs of Mo-
 ney the same shall amount unto, over and a-
 bove the said Principal Debt, Interest, and
 Costs, according to the true intent and mean-
 ing of this Act, and for which, the said War-
 rant of Execution, shall be a sufficient Au-
 thority to the said Sheriff, Coroner, Bailiff,
 Seneschal, Steward, and High-Constable, and
 to every, or any of them, and that the said
 Sheriff, Coroner, Bailiff, Seneschal, Steward,
 or High-Constable, shall make return thereon,
 in what manner the said Warrant was Exe-
 cuted, to the Register of the County, or his
 Deputy, or Deputies, from whence the said
 Warrant of Execution Issue, at, or before the
 next Quarter-Sessions of the Peace, to be hol-
 den for the said County, after such Execution
 Executed; which Warrant of Execution, with the
 Return

Return thereof, shall be read in the open Court, and there Filed, and kept by the said Register, or his Deputy, and in case the Sheriff, or any other Officer, as aforesaid, appointed by this Act, shall on any such Warrant of Execution, take any person or persons, or his, or their Goods, or Chattles personal, in pursuance, or by Colour of this Act, and shall refuse, or neglect to execute, or make return of such Warrant of Execution in reasonable time, after the delivery thereof, and according to the Direction of this Act, upon reasonable demand made by the Plaintiff or Plaintiffs, his, or their Servant, or Agent, that then such Sheriff, or other Officer, as aforesaid, refusing, or neglecting so to do, shall be liable to an Action on the Case, at the Suite of the said Plaintiff, or Plaintiffs, his, or their Executors, or Administrators, in like manner, as if the same had been an Execution, Executed on any Judgment at Law, either upon the Body, or Goods; and shall pay Treble Costs, in case Judgment shall pass for such Plaintiff, or Plaintiffs, his, or their Executors or Administrators.

Provided always, and be it further Enacted and Declared, by the Authority aforesaid, That all and every person, or persons, Plaintiff, or Plaintiffs in every such Warrant of Execution, shall from time to time, and at all times before such Execution, made and Executed, be at full Power and Liberty to make his Election or Choice, whether he will have the Body or Bodies, or Goods personal, taken in Execution, of the party, or parties, Defendant on such Warrant of Execution, as aforesaid; And that the said Sheriff, Coroner, Baliff, Seneschal,

Seneschal, Steward, and High-Constable, and every of them, shall pursue the Direction of the Plaintiff, or Plaintiffs, his, or their Servant, or Agent therein; and in Case the Plaintiff, or Plaintiffs, his or their Servant, or Agent, shall procure the said Defendants Body to be taken in Execution, then no further Execution on the Defendants Goods, shall be during the continuance of the said Defendants Imprisonment; or in Case the Plaintiff, or Plaintiffs, his or their Servant, or Agent, shall procure such Defendants Goods and Chatties personal, to be taken in Execution, which on Appraisment shall appear to be sufficient to answer the said Complainants Debt, Principal, Interest, and the Costs herein-after allowed; that then, no Execution shall be made on the said Defendants person, any thing herein contained to the contrary in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That it shall, and may be Lawful, to, and for such person or persons, to whom any Money shall be Due, or Owning by such Bond or Bill, upon the back of such Bond, or Bill, in manner, as is aforesaid directed to Transfer, or Assign the Money so Due and Owning, together, with the Interest then accrued, or to accrue, and the Costs paid in pursuance, or according to the Direction of this Act, to any other person or persons whatsoever; and the same so Assigned, or Transferred, such Assignee or Assignes, his, or their Executors, or Administrators, shall have the Entire, and sole Right, Interest, and Property in the said Bond or Bill, together with the Money, Principal, Interest, and Costs due thereon,
Exclusively

Exclusively of any Right, Property, or Interest of any other person or persons, his, or their Executors, or Administrators, to whom the same was formerly Entred into, or Transferred, or Assigned, and that no Release, or Discharge of any such former Proprietor, after such Assignment, or Transferring, as aforesaid, shall any way operate to the Prejudice, or Damage of the party or parties, to whom the same shall be, as aforesaid, Assigned, or Transferred, but that the Assignee or Transferee, Assignees or Transferees, his, or their Executors, Administrators, or Assignees, who have, or hath the Right, or Interest in the said Bond or Bill, shall have the Warrant of Execution in his, or their own Name or Names, in as large, ample and beneficial manner, as if the said Bond or Bill, had been at first made to him or them; any Law, or Custom to the contrary notwithstanding.

Provided always, That the Transferring, or Assigning of such Bond or Bill, shall not any way Extend, or be Construed to Extend, to oblige the person or persons, or Goods and Chattles of the party, or parties so Transferring, any thing in this Act, or any other Custom or Law, to the contrary hereof in anywise notwithstanding.

And be it further Enacted by the Authority aforesaid, That in case any person or persons, shall presume to Forge, or Counterfeite any Justice of the Peaces Hand or Seal, to any such Bond or Bill, or the Hand and Seal, of Officer, of any such Register, or his Deputy or Deputies, to any such Warrant of Execution, or to any Indorsements, by such Register, or his Deputy

Deputy, or Deputies made, Certifying that such Bond, or Bill, was Registered according to, or in pursuance of this Act, such person or persons so Offending, and thereof duly Convicted, shall suffer such Pains, Penalties and Forfeitures, as a Felon, without Benefit of Clergy.

And for the better preventing of all Partial, and Unfair Practices, by any Sheriff, Coroner, Justice, Benchet, Steward, or High-Constable, in the Execution of this Act, or any part thereof.

It is Enacted by the Authority aforesaid, That it shall, and may be lawful, to and for the Justices of Assize in their several Circuits, and Ridings, at their General Assizes, and to, and for the Justices of the Peace, at their General Quarter-Sessions, in their respective Counties, where such Partial, or Unfair Practices, shall be by them, or any of them committed, or done; and they are respectively hereby required, upon complaint thereof, to cause the party or parties Offending, as aforesaid to be thereof Indicted; and in case the party Offending, shall not submit, he shall be with all reasonable speed Tried, and if Verdict shall pass against him, or in case he shall submit, that then the Judge, or Judges of Assize, or Justices of the Peace, or Major part of them, shall, and may, by the Authority of this Act, and are hereby required to lay such Fine as to them respectively shall seem meet, and reasonable, not exceeding Ten pounds, the same to be Levied within Thirty days after such Fine Imposed by Warrant of the said Court respectively, where the said complaint shall be made, upon the Goods of the person so Offending, and Convicted, as aforesaid, without further Appeal, or Suite, in Law or Equity.

Provided

Provided always, That in Case the person so Offending, shall within the said Thirty days, make Satisfaction to the party or parties grieved, and shall procure his, or their Certificate, under his, or their Hands and Seals, to that Effect and Purpose, to the Clerk of the Crown, or Clerk of the Peace, respectively Directed, who is to Issue such Warrant, as aforesaid; that then, and in such Case, the said Clerk of the Crown, or Clerk of the Peace, respectively Directed, who is to Issue such Warrant, as aforesaid; that then, and in such Case, the said Clerk of the Crown, or Clerk of the Peace respectively, are hereby required to make stay of such Warrants, till the next Assizes, or next Quarter-Sessions respectively; at which time it shall, and may be lawful, to, and for the Judge or Judges of Assize, or Justices of the Peace, or major part of them, upon application to them respectively, at their General Assizes, or General Quarter-Sessions in open Court, the party or parties injured, being first satisfied, as aforesaid, to reduce such Fine or Fines, according to his, or their respective Discretion or Discretions.

And be it further Enacted by the Authority aforesaid, That in Case any person or persons, as aforesaid, Taken in Execution by any such Warrant of Execution in pursuance of this Act, shall Dye in Execution, the Debt shall not be Discharged thereby, but be lyable to be Levied, and Raised in manner as aforesaid, by Warrant of Execution, upon his, or their Goods and Chattels personal, Wherever they may be found in this Kingdom. And to the end, Exaction, or Extortion of Fees for, or concerning the Execution of this Act, may be prevented.

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Be

Be it further Enacted by the Authority aforesaid, That the Register's Fees, for Entering the said Bond or Bill, and Certifying the same, shall be Six pence, and no more; And for Issuing a Warrant of Execution, One Shilling, and no more; And for Entering of a Discharge of the said Bond or Bill, Three pence, and no more; And for Entering each Transfer, if desired, Two pence and no more; And that the Fees of the said Sheriff, Coroner, Bailiff Seneschal, Steward, or High-Constable, for the taking of the said Obligor, or for taking of his Goods and Chattles on the said Warrant of Execution, shall be One Shilling, and no more; and to the Appraiser, or Appraisers of such Goods and Chattles personal, Six pence in the pound, and no more; And to such Officer, or Officers, to whom the Custody of the said person in Execution shall be Committed, Six pence in the pound, and no more.

And be it further Enacted by the Authority aforesaid, That in Case any person or persons, shall corruptly take, or make any False Oath, or Suborn, or Procure any person or persons, corruptly to make such False Oath, for any matter, or thing relating to this Act, such person or persons, corruptly making such False Oath, or procuring such False Oath, corruptly to be made, being thereof Lawfully Convict, shall for every such Offence, Incur and Suffer, such, and the like pains and penalties, as are mentioned and prescribed, to be inflicted on persons Offending in Cases of Perjury, and Subornation, by one Act made in this Kingdom, in the Eighteenth year of the Reign of the late Queen Elizabeth of ever Glorious Memory, Intituled, An Act concerning willful Perjury.

And

And for preventing of the Abuses or Irregular Proceedings which may be otherwise committed or done by Registers, or their Deputies in the Execution of this Act.

Be it Enacted by the Authority aforesaid, That every Register, or his Deputy, or Deputies, of any County, or County of a City, or County of a Town, within this Kingdom, shall, and are hereby required, to deliver to the Clerk of the Peace, at every Quarter-Sessions, and to the Justice of the Peace, who is Chairman at such Quarter-Sessions, and to each of them, a Book fairly drawn, and Signed by such Register, or his Deputy, which shall be a true Copy of all Entries made since the former Sessions; in which Books, the said Clerk of the Peace, and Justice of the Peace, shall enter respectively, such Rules, Orders, and Proceedings, as shall be made at that Quarter-Sessions, and in open Court, shall cause the said Register to read over his Book, comparing it with the said Clerk of the Peace's Book, and the said Justice's Book, and making them all to agree; which being done, the said Justice of the Peace, Register, or his Deputy, and the Clerk of the Peace, shall all of them in open Court, in the presence of the Justices, composing the said Court, Sign their respective Names in each Book, and then the said Justices of the Peace, shall keep one of them, the Register another, and the Clerk of the Peace the third, which said Books, or two of them at least, shall be from Session to Session, brought into Court by the respective persons aforesaid.

F I N I S.

12

For the purpose of the State of Illinois
the following is a list of the names of the
persons who have been appointed to the
office of the State Auditor of the State of Illinois
for the term of years ending on the 31st day of
December, 1891.

1881-1882, John A. McClure
1882-1883, John A. McClure
1883-1884, John A. McClure
1884-1885, John A. McClure
1885-1886, John A. McClure
1886-1887, John A. McClure
1887-1888, John A. McClure
1888-1889, John A. McClure
1889-1890, John A. McClure
1890-1891, John A. McClure

